one month.

field House, Atlants, Ga. WONDERFUL CANCER ANTIDOTES, No Knife. No Caustie Medicines. No Blood. Little Pain. For particulars call on or address either of the

MARRIAGE GUIDE.

EVERY ONE HIS OWN DOCTOR.

A private instructor for married persons or those about to be married, both male and female, in everything concerning the physiology and re-

lations of our sexual system, and the production and prevention of offspring, including all the new discoveries never before given in the English language, by WM. YOUNG, M. D. This is really a valuable and interesting work. It is written in plain language for the general reader, and is illustrated with numerous engravings. All young married people, or those contemplating marriage, and having the least impediment to married life, should read this book. It discloses secrets that every one should be acquainted with; etill it is a book that must be locked up and not lie about the house. It will be sent to any address on receipt of 50 cents. Address Dr. WM. YOUNG.

## NOTICE.

THE SUBSORIBER HAVING QUALIFIED AS Administrator of John Jones, deceased hereby gives notice to all persons indebted to the Estate of said deceased to make immediate payment, and to those having demands against the same to present them properly authenti-cated within the time prescribed by law, or this notice will be pleaded in bar of their recovery.

JOHN A. JONES, Administrator

NORTHROP & CUMMING.

Commission Merchants.

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Pea Nuts Cotton, &c.

"AMERICAN TUNE BOOK "SILVER WINGS,"
"AMERICAN TUNE BOOK," SHORT VOLUNTARIES, AMERICAN TUNE BOOK. "AMERICAN TUNE BOOK," "GLAD TIDINGS," "AMERICAN TUNE BOOK," "REED ORGAN COMPANION,"
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TIN WARE!! \$10,000 WORTH OF TIN WARE FOR the Spring Trade, at as low prices as can be found in the country, North or South. Ten per cent, in the Freight saved by buying here! Send for new Price List and patronize your neighbor.

I am also sole Agent for the sale of "Choice Durham Smoking Tobacco."

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Address E. H. POGUE,

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The former detailing the system of Market road, in accordance with the con-Gardening; the latter DESORIPTIVE of the of former legislation in the matter. modes of Commercial Floriculture, as practiced in the vicinity of New York. Mailed, postpaid, for \$1 50 each.

Our Annual Descriptive Catalogue of Vegetable and Flower Seeds. Containing two new and BEAUTIFULLY COL-ORED PLATES, is now ready. Also, Catalogue

NEW AND RARE PLANTS. ILLUSTRATED with Colored Plates and Engravings. Both will be mailed on receipt of I wenty-five Cents, or sent with either of the

above Books free of charge.
HENDERSON & FLEMING. Seed Merchants and Growers, 67 Massau Street, New York.

REFINED POUDRETTE OF THE

"Lodi Manufacturing Co."

For sale in lots to suit customers. This article is sold for HALF THE PRICE of other fertilizers, and is cheaper for Cotton, Corn. Tobacco and Vegetables, than any other in the market. It is made entirely from the night soil, offal, &c .. Price, delivered on board in New York City,

Twenty-five Dollars per Ton. Road the following Testimonials: JACOB JOYNER, Esq., of Greenville, N. C., un-

DAVID W. GASKILL, of Washington, N.C., under date of Nov. 4th, 1870, says: "I used your Double Refined Poudrette on Cotton in the same way (in the drill,) side by side with Peruvian Guano, the Poudrette in one row and the Guano in the next, and I pronounce it superior to the Guano. In the spring the rows where I used the Guano looked the best, but in June and July,

the Pondrette showed itself, and my neighbors who have seen it pronounce it equal to Guano, and I think they will unite with me in using it another year." James R. Wilder, of Franklinton, N.C., says, in letter dated Sept. 23d, 1870: "I used the Double Refined Poudrette on Cotton, and it

will, without a doubt, make more than a \$56-guano, which has a great reputation as a Cotton Manure. The Nitro-Phosphate I used on Cotton, Sweet Potatoes and garden truck, all of which did exceedingly well."

J. J. Bollins, of Pactolus, N. C., under date of October 29th, 1870, says: "I believe the Double Refined Poudrette and Bone Dust are all they are recommended to be. I used the Poudrette recommended to be represented to be, the interests of North represented to be represented to be, the interests of North represented to be represented to b on Corn, and although the season has been very unfavorable for all kinds of fertilizers on my sandy soil, I was perfectly satisfied, and believe it the cheapest fertilizer we can use."

J. A. J. Askew, of Colerain, N. C., in a letter levy a sp dated September 16th, 1870, says: "I let several planters have some of the "Double Refined Poudrette.' One says he wants 5 tons next season to put under Corn. I used 4 tons on Corn, and ished every one who saw it. I think it the best grossed, and sent to the House to-day

A Pamphlet giving full directions, &c., sent on

jan 13

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Box 3139, New York P. O.
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# Wilmington Iournal

WILMINGTON, N. C., FRIDAY MORNING, FEBRUARY 10, 1871.

WILMINGTON MILLS. WILMINGTON, N. C.,

NORTHROP & CUMMING, Proprietors,

AS Cargoes of ELLOW PINE LUMBER furnished for any market at short notice.

AS All kinds of PLANED LUMBER always on Greene, Char'otte, N. O., by Dr. Healy, Stubblehand. Also, LATES, BRICK, &c., &c. 45-6m

VOL. 27.

ROBERT C. JOHNSON. INSPECTOR OF NAVAL STORES, COTTON, &C

WILMINGTON, N. C. OFFICE AT JOHN C. HEYER'S STORE. would inform his friends and old customers that he has qualified as Inspector, and solicits

A VOID QUACKS,—A VICTIM OF EARLY indiscretion, causing nervous debility, premature decay, etc., having tried in vain every advertised remedy, has discovered a simple means of self-cure, which he will send free to his fellow sufferers. J. H. TUTTLE, 78 Nassau St , New York City.

North Carolina -- Bladen County. IN PROBATE COURT, JANUARY 9, 1871. Petition to sell Land to make Assets. Howard Smith, Administrator of Jones Smith,

Heirs at Law of Jones Smith. It appearing to the satisfaction of the Court that the children of Wilson smith and Simon Smith, who are heirs of Jonas Smith, reside be-yond the limits of the State. It is therefore ordered, that the said children (whose names are not krown) of Wilson Smith and Simon Smith, appear at the office of t o Clerk of the Superior Court on the 18th day of February next, and answer the complaint in this proceeding, or judgment will be rendered against them pro

D. BLUE, C. S. C.

Legislature of North Carolina.

SENATE.

WEDNESDAY, Feb. 1, 1871. Message from the House informing Senate of appointment of Messrs. Ashe, Withers, Wilcox, Duckworth and Sandford as House Committee of Conference

on Convention bill. Mr. McClammy moved suspension of rules, and take up bill concerning the tuck Sound. Motion prevailed, and pending third reading,
On motion of Mr. Speed, the bill was

postponed until to-morrow morning at The bill concerning the printing of the

General Statutes was read. Passed its second and third readings. Authorizes the Secretary of State, immediately after the ratification of any act to Prevailed. have the requisite number thereof printed, as now required by law, for distribution as the law requires.) Ordered to be engrossed and sent to House.

the sale of Swamp Lands, which he re- filed. quested to be referred to Judiciary Com mittee. Mr. Latham hoped the bill would be in-

definitely postponed. Mr. Olds urged the reference as suggested by himself. Resolution, by Mr. Old's motion, was

laid upon the table. Communication from Superintendent of Public Instruction, concerning the public School Tax fund of Edgecombe County. Referred to Committee on Education.

SPECIAL ORDER (A bill relative to public lands of State lying in Jones and Onslow counties,) was

considered. Mr. Allen offered an amendment to the substitute, authorizing the Board of Education to lay off the said public lands in said counties into sections of 600 acres or less, and transfer to the Planters Railroad Company alternate sections of said

Mr. Robbins of Rowan was opposed to the bill and the substitute, and urged the passage of the amendment of Mr. Allen. The bill proposed to sell the very land that had been conditionally given to the Planters Railroad, and upon which the people of Onslow and Jones had proceeded to subscribe largely for the building of the

road, in accordance with the conditions Mr. Moore advocated the passage of the amendment. Mr. Allen stated the grounds upon

which he based his amendment. A few N. C.; placed on calendar. days ago a bill was introduced to sell the whole lands. A substitute was afterwards presented which virtually effected the same result. He objected to the original bill and substitute, and to-day offered an business, the House resumed its consider amendment for substitute and bill If tion. substitute was adopted, without repeal of the bill incorporating the Planters Rail of the first section. road Company, only alternate sections which were retained by the State in the this : He was utterly opposed to all useles tile regions in North Carolina. The sale

the contract heretofore made by the State was unequivocally opposed to those de- been agreed upon. with the people of the counties in which partments, which he could easily name,

Planters Road will pass. on Education, felt constrained to say departments were necessary, and the work trial. der date of October 25th, 1870, says: "The Poudrette I purchased of you last spring, I used on Corn, and from results, I am satisfied it is Union Land Company who proposed to purchase these lands, at fifteen cents per the cheapest and best fertilizer we can use in purchase these lands, at fifteen cents per were not needed they should be abolished, acre, for the purpose of settling Holland &c. ers upon it. He (Gilmer) said that such a proposition would never be confirmed. He would support the amendment of Mr. Allen.

After further argument by Mr. McClam my, the previous question was called. The amendment of Mr. Allen was adopt

The bill as amended passed its second Mr. Moore moved a sospension of the

reading. Mr. Speed hoped the motion of Mr. Moore would not be adopted, and that the bill would not be hurried through. If the salary, &c. lands were as valuable as they have been The first a

represented to be, the interests of North The motion to put on third reading was

Mr. Graham, of Orange, moved to take up bill anthorizing County of Person to

The previous question was called and sustained. Bill in relation to liabilities of husbands

cety of her violated laws. If this be done, Justice Pearson in the co

Board of Education-Brown and Ed-| Anderson's amendment was put to a vote on Tuesday and Friday evenings during

Internal Improvements-Graham of Ala-Mr. Cook: A resolution asking information of State Treasurer concerning the smount paid to the officers and men of Kirk's and Clark's late militia commands.

Adopted. HIGH COURT OF IMPEACHMENT. The Chair announced the arrival of the nour for the sitting of the Senate as a Court

of Impeachment. Committee appointed to wait upon the Chief Justice announced his presence. He was invited forward, took seat and called the Court to order.

Doork:eper made proclamation in due Clerk called the roll, quorum present.

Senator Robbins, of Rowan, moved that Mr. Edwards, from Granville, be sworn in. Mr. McCorkle, of Counsel for Respondent, challenged the qualification of Mr. Edwards, not having been a member of the Court at its organization. Mr. Conigland, of Counsel for Respond-

ent, argued at length in support of the Mr. Graham, of Counsel for Board of Managers, insisted upon the admission of

the Senator from Granville. Mr. Boyden replied to the argument of Mr. Graham, and in support of the chal

Mr. Merrimon, of Counsel for Managers, argued against the challenge. Chief Justice decided that the objection was not well taken, and that the Senator is entitled to be sworn as a member of the

Mr. Edwards was qualified. Clerk read proceedings of last meeting, and approved. Mr. Badger, of Counsel for Respondent, submitted answer on part of Respondent,

to article 8, as amended. Mr. Lehman moved to accept replication, and that the same be filed. Mr. Dunham, of Managers, stated that Respondent having filed his replication to eighth article as amended, respectfully asked that the Court take a recess of fifteen fowling interests in the waters of Curri- minutes, to allow the Managers to lay before the House of Representatives the said

answer of Respondent, and prepare the replication of the House to said answer. Court took recess for fifteen minutes. Mr. Warren resumed Chair, and called Senate to order. Mr. Graham, of Orange, moved that the

Senate take recess until after adjourn-ment of Court of Impeachment to-day.— Court called to order. Mr. Dunham, for Managers, submitted

the action of the House, upon the answer

of W. W. Holden to eighth article as Mr. Olds introduced a bill concerning amended. Received and ordered to be Mr. Graham submitted an order, that issue having been joined, the Senate, as a Court of Impeachment, now fix the time and place for proceeding with the trial, and the members be sworn. Order pre-

vailed, and the Senators, as members of the Court, were sworn. Mr. Robbins, of Rowan, submitted an order that the Chief Stenographer employed by the Senate to report the proceedings of the Court of Impeachment, take an oath to faithfully and truthfully report the same. Order prevailed, and

Mr. Underhill took oath prescribed. Mr. Graham, of Orange, moved that Court adjourn until to-morrow at 12 M. Motion prevailed. SENATE.

President Warren called the Sanate to On motion, the Senate adjourned until to-night at 7 o'clock.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, Feb. 1, 1871. By Mr. Young, of Yancey: A bill to provide for the payment of the necessary expenses of agents in the pursuit of fugiby Mr. Grayson: A bill to more effec-

tually secure the payment of the poll tax; By Mr. Waring: A bill to incorporate the Fairs of the Carolinas at Charlotte,

UNFINISHED BUSINESS.

The bill in relation to the salaries and fees of State officers being the unfinished

The question recurred on the adoption Mr. Martin said his position was simply charter could be sold. The Road will heads of Departments and to the employ drain the swamp, as it is required in the ment of clerical force in those departments. charter that a canal be cut by the Com- He was for retrenchment and reform in all pany, which will open one of the most fer particulars. He wished to prune the tree calendar, of all useless branches in order to give of the lands at the present time, in view those that are really necessary a healthy the Roanoke and Tar River Agricultural attending the impeachment. of this fact, would be suicidal. This growth. He thought a proper economy Society; referred. amendment merely confirms former legis- dictated that a sufficient clerical force lation, and he thought it necessary, be- should be employed in the necessary decause there was a feeling on the part of partments, and competent men should have vention bill, submitted a report in relation it was referred to the Committee on Print Planters Road will pass.

a source of expense, &c. He was for a the bill to provide for the payment of mortgage bonds, hertofore deposited in witnesses in the pending Impeachment the Treasury, to enable the Company to

Mr. French concurred with Mr. Martin. Constitution and cannot be changed by age. legislation. This is \$2,000 more than the Governor received before the war, when tary, at a salary of \$300 with fees, and now we propose to give him a Secretary at a salary of \$500 per year with fees and unanimously, &c. a Messerger at \$300 per year. He was oprules, and the bill be put upon its third posed to allowing a Messenger because it was an innovation upon the old and better times If the Governor needs a Messen ger let him pay for it out of his increased

> The first section was then adopted. The second section was read. The question recurred upon the amendment proposed by the Committee to strike out \$750 own witnesses. as the salary of the Assistant Clerk of the Treasury and insert \$1,000 per year.

Mr. Houston thought the bill should be passed as it came from the Senate. The put and adopted by a vote of yeas 52, nays levy a special tax, and put upon its third financial condition demanded the reductions proposed in the bill. Gentlemen The bill then passed its second reading should consider the distress of the tax pay- by a vote of yeas 56, nays 38. ers of the State &c.

economy to employ, where it was necessary, competent and faithful men at fair and up.

and rejected.

a vote of yeas 34, nays 68. Mr. Waring moved to amend the section by striking out "1500" as the salary of the Principal Clerk of the Treasury, and in-

Mr. Waring said where clerical labor was actually recessary he was in favor of State should be considered. The Legisla-ture came here to give relief to the people. Sheriff of Robeson county.

Mr. Norment moved that the rules be Twelve hundred and fifty dollars a year

one could decently subsist, &c. On motion of Mr. Waring, the year and pays were called, and the amondment was ejected by a vote of yeas 45, nays 51. The 2d section was then adopted.

Section 34 was read. The question recurred upon the amendment proposed by the Committee making the salary of the Secretary of State's Clerk \$1,000 in lieu of \$800, as proposed in the bill. The amend ment was adopted.

Ellison, col., moved to amend line two of the section by making the salary of the Secretary of State \$1,250 instead of \$1,000, as proposed in the bill. The amendment was put to a vote and rejected. The third section was then adopted.

The fourth section was then read. The amendment proposed by the commit ee to strike out "1,250" as the Auditor's salary, and insert "1,500," and also Court of Imperchment. to allow him a clerk at \$1,000 per year, was considered.

Mr. Johns moved to amend the amendment by making the clerk's salary "700" per year instead of \$1,000; lost. The amendment by the committee was put to a vote and rejected.

Mr. Martin moved to strike out the sec tion; lost. The section was then adopted. Section 5 which gives the superintendent

of Public Works a salary of 50 cents a year was next taken up. Mr. Copeland moved to amend by give ing that officer \$1,500 per year. Mr. Martin moved to amend the amend

ment by striking out "\$1,500," and insert Page col., moved to lay the amenment on the table; lost. Mr. Martin withdrew his amendment. Mr. Copeland's amendment was put to

vote and rejected. Dadley, col., moved to amend by giving a salary or \$500 per year; lost.

Mr. French moved to strike out the sec-

Mr. Phillips moved to substitute for the

the Superintendent of Public Works and should not be The report of the Committee on Confershould have no salary, and should not be The report of the Committee on Confershould have no salary. Mr. Robinson offered an amendment Governor's council, which was adopted.

Section 6 was read, when, Mr. French offered an amendment lowing the Superintendent of Public Instruction an assistant at a salary of \$1,000 per year and traveling expenses.

[This section in the bill allows a salary

Section 5 as amended was then adopted.

of \$1,500 per year, and forbids the appointment of any person as clerk, or assistant to be paid from the Treasury or educational

Pending any definite action the House adjournée.

SENATE. THURSDAY, Feb, 2, 1871. INTRODUCTION OF BILLS. Mr. Olds, a bill amending an act incor-

porating Planters Railroad Company Mr. Troy, bill to incorporate McLean Hook and Ladder Company; referred. Mr. McClammy, a bill for the general

protection of Fair Grounds; referred. Bill concerning the public lands in Jones and Onslow counties, put on its third reading. The bill was ably advocated by Messrs. Robbins, of Rowan, Allen and Olds in favor of its passage, and Mr. Love by making the Committee 5, with instruc-in opposition thereto, Bill passed; ayes tions to report to-morrow morning.

21, nays 13. Mr. King was excused from voting. The hour arrived for the sitting of the Senate as a High Court of Impeachment. After adjournment of the Court President Warren called the Senate to order. On motion, Senate adjourned until to morrow at 10 A. M.

HOUSE OF REPRESENTATIVES.

THURSDAY, Feb. 2, 1871. By Mr, Withers: A bill empowering the Governor to offer a reward of \$5,000 for Henry B. Lowery and others; placed on Hargrove, Withers, Phillips and Ashe, as

certain parties to force the State to violate a fair compensation for their labor. He to the various amendments which bad ing. that land lies, and through which the that were of no use to the State, but were Salaries and Fees, reported favorably upon Rutherford Railroad Company its first

> On motion of Mr. Withers, the rules were suspended and the bill was taken up. the bill and went into an elaborate expla-It gives \$1 per day and 5 cents per mile by the most direct route.]

The question recuired upon the amend Mr. McAfee said that the Governor has ments proposed by the Committee, allowsalary of \$5,000, which is fixed by the ing the witnesses \$1 50 and 10 cents mile-

Mr. Withers thought witnesses ought to be paid a sufficient sum to cover their he was entitled only to a Private Secre- actual expenses and the bill as amended would hardly do it. He hoped the bill ment, offered by Mr. Ashe, was adopted and as proposed to be amended would pass the bill passed its several readings.

The amendments were adopted. Mr. Johnston, of Bancombe, offered an amendment that only two witnesses to a material fact should be paid, &c. After some debate, Mr. Johnston's amendment was put to a vote and rejected. Mr. Marler offered a proviso that in case

of conviction, the Governor shall pay his After a long debate Mr. Withers called the previous question. The call was sustained and the proviso of Mr. Marler was

The Committee's amendment making On motion of Mr. Strudwick, the matter the sessions of said Court. the salary \$1,000 was put and rejected by was postponed until to-morrow. On motion, the House then adjourned.

SENATE.

FRIDAY, Feb. 3, 1871.

Called to order by President Warren. Mr. Graham, of Orange, from the Fipaying a fair and reasonable compensation. nance Committee, reported favorably on a The impoverished condition of the whole resolution in favor of Benj. A. Howell, late

> Mr. Council asked suspension of the rules in order to take from the calendar bill to incorporate the North Carolina on the Eastern Division, and eleven miles Manufacturing Company. Rules suspend-

> ed, bill amended and passed. Mr. Olds moved to suspend the rules and cerning the sale of swamp lands. Rules ern Division to Shelby, the seat of Justice were suspended and resolution read, after some debate, in which Messrs. Olds. Warren, Latham, Cook, Graham, of Orange, Dargan, and Speed participated.

lands. Prevailed. The Chair announced the arrival of the hour for the sitting of the Senate as a High

HOUSE OF REPRESENTATIVES. FRIDAY, Feb. 3, 1871.

House called to order at 11 o'clock. Mr. Broadfoot, from the Committee on C rporations, Mr. McCauley, from the grading has been done, and there are no Committee on counties and townships and streams of any size beyond the capacity of Mr. Womack, from the Special Committee appointed to investigate the violations of easy to work, and that very little rock cut- ways, converging to that point from the

By Mr. McCauley: A bill concerning administrators; referred. By the same: A bill concerning consta bles, referred.

Mr. Johnson, of Buncombe, from the Special Committee to whom was referred used a fifty pound rail and cheap chairs the mountains )-and last, but not the the Governor's and Treasurer's messages for joints. in regard to the issue of bonds to the Western Division of the W. N. C. R. R., submitted a report, which was ordered to be we may go down to a forty or forty five mington to Atlanta will be shorter than it

(The report will be published soon as it contains information of importance to the reduce the cost still more. On motion of Mr. Ashe, the bill concern-

amendments, which, in substance, processe which gives the Superintendent \$4 per day to postpone the election, two weeks; to in- pects of business and from what has a'while acting as a member ex officio of the sert a clause providing that the Cnoven- ready been received in the first quarter sight of. Our railway must, at no distant tion shall incorporate in the Constitution that the receipts of both Divisions will not day, cross the mountains and connect with a clause prohibiting any Court from alter- fall short of \$260,000, and although the the valleys of the Mississippi and Ohio. ing, revising or modifying the decision Western Division is not very economically and the Southern Pacific railway lines. the Homestead clause of the present Con- not fall short of \$110,000. stitution.

> ments, and after moving a concurrence. called the previous question. The call for the previous question was adopted by a vote of yeas 59, nays 35. The motion to concur was put and adopt-

ed by a vote of yeas 62, nays 35. On motion of Mr. Withers, the bill to pay witnesses attending the impeachment trial, was taken up. Mr. Withers offered a substitute for the

Mr. Ashe moved to refer to the Commiitee on Salaries and Fees; lost. summoned by the prosecution shall be seek a market by this road. and makes no reference to the witnesses Other produce and Minerals.....

on the part of the respondent. This matter excited a lengthy debate. Mr. Houston moved to refer the matter to a special Committee of 3. Mr. Gregory moved to amend the motion

Mr. Houston accepted the amendment, and the motion as amended was adopted. Mr. Crawford, from the Committee on Engrossed Bills, reported several bills and resolutions as being correctly engrossed. On motion of Mr. Withers, the bill authorizing the Governor to offer a reward of \$5,000 for Henry B. Lowery and others, was taken up.

Messrs. McNeill, Regan, Broadfoot, Waring and many other gentlemen advocated the passage of the bill. After a prolonged discussion the bill passed its several readings. The Chair announced Messrs. Houston.

By Mr. Dunham: A bill to incorporate in reference to the payment of witnesses On motion of Mr. Jones, of Caldwell. Mr. Ashe, from the House branch of the his resolution to print the calendar, was Committee on Conference upon the Con- taken up, and on motion of Mr. Ashe,

On motion of Mr. Ashe, the bill to re-Mr. Withers, from the Committee on turn to the Wilmington, Charlotte and complete its Road, was taken up. Mr. Ashe took the floor in advocacy of

> nation of its provisions. Mr. McAfee urged the passage of the bill as the completion of the Road would be of incalculable benefit to that section of country through which it passes, and would be source of revenue to the State. Mr. Freuch also advocated the bill.

After a lengthy debate in which a number of gentlemen participated, an amend-On motion the House adjourned. The Martinsburg New Era tells of a ro-

mantic wedding which took place in that

town last week. It says:

"The hand of a beautiful and accomplished young lady (Miss G.) residing near Gerardstown was sought in marriage by two rival-suitors, both fine looking. The rivalry had gone on for some time, and it was given out on Monday last that Mr. Mc. had triumphed, and would on for some time, and it was given out.

Isst that Mr. Mc. had triumphed, and would on the following Thursday lead the young lady to the altar. This would have discouraged most men, but not Lieutenant S. He had followed the feather of General Jeb. Stuart in many a forlorn hope, and was not to be daunted or driven from the field by any ordinary circumstances.—

The day was fixed for the marriage of his rival.

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WIL, CHAR & RUTH. R. B. COMPANY, CIFICE CHIEF ENG. & GEN'L SUP'T, WILMINGTON, N. O., Jan. 13, 1871. TO THE PRESIDENT AND DIRECTORS:

Gentlemen :- In obedience to your request, I submit herewith the report asked for by you, showing the present condition, prospects and costs of completing your track to Charlotte and Shelby. Your railway, beginning in the city of Wilmington, is now completed to a point in

Auson county, four and a half (4) miles West of the Pee Dee River—the Eastern suspended and the resolution be put upon Division-being one hundred and twentywas a respectable salary, and upon which its several readings. Agreed to, resolution five miles from Wilmington. The Westpessed, ordered to be engrossed and sent to the House of Representatives. ern Division, beginning at Charlotte, is completed to Cherryville, forty-three (43) miles west of Charlotte. There are about ton miles of grading

on the Western Division now ready for the take from the calendar the resolution con- of Justice of Anson county, and the Westof Cleaveland county.

If we had the iron rails we could thus add twenty-one miles of track at a com-

paratively small cost, which would very Mr. Warren moved to re-commit the considerably increase our receipts without resolution to committee, with instructions to take testimony as to the value of these One hundred and thirty thousand dollars expended in Iron, Spikes, &c., would enable us to lay this additional track, and I earnestly recommend it to your special

miles, are herewith submitted, amounting to nearly \$800,000.

charge shows that about one-third of the ordinary tresile-work to span; the soil is their charter by the Chatham Railroad ting will be necessary.

Company, submitted reports.

Language of the Chatham Railroad ting will be necessary.

Language of the Chatham Railroad ting will be necessary. at twenty five (25) cents per cubic yard.

> pound rail for ten years and then relay is by the route via Augusta. this track with heavy rails. This would

receipts and expenditures of the road for any estimate due to the new lines that section, which in substance, provided that ing a Convention of the people was taken the past four years, coming down to the will meet us there, but have simply calcu-Lam of opinion from the present pros-

> made by the present Supreme Court on operated, I believe the net receipts will Could the twenty-one miles referred to above be completed, I think we could in-Mr. Ashe occupied the floor for sometime in explanation of the proposed amend- sure the payment of the interest on the tunneling, or with grades of (90) minety first mortgage bonds from the net receipts. When the road shall have been completed to Charlotte, making 185 miles from Wilmington, it will not only be self-

surplus to the Stockholders. Let us look for a moment at the facts: There are said to be over 50,000 bales of cotton to be sent to Northern markets from that city, 40,000 bales of which will be sent by the Wilmington route either by water or rail. Mecklenburg (outside of Charlotte,) Monroe and Anson, will pro-The substitute provides that witnesses duce at least 30,000 bales more that will paid \$1 50 per day and 10 cents mileage, This Cotton freight alone will reach... \$120,000

Gross Receipts from Charlotte and West For the Eastern Division, east of the Pee Dec,.....

Estimated gross receipts for the first

year after the track reaches Charlotto

The above estimate is based upon statistical information that is entirely reliable, and I am confident that it is rather below than above what the facts will justify. ESTIMATE FOR COMPLETING THE ROAD TO CHARLOTTE. DISTANCE FROM THE PRESENT TERMINUS OF TRACK TO CHARLOTTE, SIXTY-

ONE AND A HALF MILES. (61 56-100.)

Total quantities to be graded and now done

To be done..... the Special Committee to consider the bill To be done..... Total Excavations & Embankm'ts 2,201,142

> One-half, cubic yards. As we pay, but for Excavation only at 25 cents per yard..... This is for the present located line, but by improvements in location, we can save in excavation and embankment, it is be ieved, ten per cent, or more, which will leave us the approximate cost of grading to sixty-one and a half miles ... Five thousand five hundred tone of fish-joint rails, at 54 lbs. to the yard,

ing and laying track, at \$1,950 per The foregoing is a full estimate for the grading, except where we meet rock, and it is believed there is very little to be met with on the line. I estimate for a heavy rai for this country of 54 lbs. to the yard, with fish joint fastenings. We may add to this for contingencies, at 6 per cent., 145,163 20; giving nearly

1800,000, as the cost of completing the track to charlette. To this

the track to harlette. To this add eleven (11) miles for track to

Bhelby .....

gives the cost of Iron (at \$70 per

Cost of Ties, Spikes and Joint Fasten.

DETAILED ESTIMATE FOR WORK. For joint fastenings at \$1 mach; 450 to RATES OF ADVERTISING

1 square, of 10 lines or less, for each and every

insertion, \$1. AOTDADADAD Special Notices will be charged \$200 per square foreachand every insertion.

All Obituaries and private publications of every

character, are charged as advertisements. No advertisement, reflecting upon private character, can, under any ciecumstances, be

GROSS RECEIPTS AND OPERATING EXPENSES FOR A PERIOD OF FOUR YEARS, TERMINA.

TING AUGUST 31, 1870. RECEIPTS. EASTERN DIVISION. WESTERN DIVISION. 1867-\$194,189 45 \$25,097 66 24,410 79 31,787 13 1869- 161.813 99 1870- 194,802 64

OPEBATING EXPENSES. EASTERN DIVISION. WESTERN DIVISION. 1867-\$104 830 00 1868— 86,741 52 1869— 87,289 90 21,989 66 25,209 98 27,236 06

rails. This track laid, would carry the Eastern Division to Wadesboro', the seat Total Receipts for four years......\$839,824 43 Expenses 461,605 84 Excess of Receipts for four years ... 1378,218 59

When our road shall have reached Charlotte, we will intersect the system of rail-

that will come to the road from the Char-I also submit a statement showing the lotte connections? I have not gone into

feet to the mile and no tunnelling. It is understood that a grant of public lands by Congress for the joint benefit of the railways crossing the mountains, and sustaining but it will yield a handsome connecting with the Southern Pacific Railway, will be made at the present session. Should this be so, and this company receive its due proportion, the very early completion of this line to near Asheville and thence to the Tennessee and Kentucky

CONCLUSION.

1. To sum up the main features and figures of this report, I desire to say: We have 125 miles of railway east of Charlotte, and 43 miles west of that city, or 168 miles of good track now being operated—the Eastern Division yielding about \$1,800 per mile in gross receipts-the Western Division \$1,000 per mile. The cost of operating is about 50 per cent, of the gross receipts; the Western Division rather more than fifty per cent., which, however, would be reduced to, or below, that figure if the two divisions were connected.

2. The distance between the end of the

Eastern Division track and the Western

at Charlotte is (611) sixty-one and a half

miles. That connection can be made for a sum not greater than \$800,000, at the

for the fiscal years, terminating Aug. 31, 1870, shows annual net receips of (\$95,000) ninety-five thousand dollars; and they

show further that the net receipts increase in much greater ratio than the increase or extension of track. 4. That when the track is completed to Charlotte, that the receipts must amount

sured of their semi-annual interest, and the ultimate payment of their securities, gage bonds will take from time to time, as bonds, the proceeds to be applied to the purchase of iron, spikes, &c., and further, for one year take second mortgage bonds for the interest due on their present securities, the completion of the track is at once assured, and at an early day.

I am, respectfully, Your ob't serv't, S. L. FREMONT,

The bill then passed its second reading should consider the distress of the tax payers of the State &c.

In the bill then passed its second reading should consider the distress of the tax payers of the State &c.

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In the bill then passed its second reading should consider the distress of the tax payers of the State &c.

In the bill then passed its second reading by a vote of yeas 56, nays 38.

On motion of Mr. Hargrove, the resolution taking a recess at 12 M. each day during the same period was married on Tuesday, before his pastoral labors in the theory of the course of time belief by any ordinary circumstances.

The bill then passed its second reading from the field by any ordinary circumstances.

The bill then passed its second reading from the field by any ordinary circumstances.

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The day was fixed for the marriage of his rival, but the Union of Mr. Hargrove, the resolution the field by any ordinary circumstances.

The day was fixed for the marriage of his rival, but the Union of Mr. Hargrove, the resolution of Mr. Hargrove, the resolution of Mr. Hargrove, the resolution of Mr. Ashe was in day or district for the marriage of his rival, but the Union of Mr. Hargrove, the marriage of his rival, but the Union of Mr. Hargrove, the day was fixed for the marriage of his rival, but the Union of Mr. Hargrove, the flat will be used would not exceed the following such that will be used would not exceed the union of Mr. Hargrove, the flat will be used would not exce Church, in Philadelphia. He was elected Professor in the Union Theological Semibert Barnes, and was at work in the Sem-

\$839,824 43

\$110,635 95

1870- 81,510 20 \$360,371 62 \$101,231 24

Average per year. .... \$ 94.554 64 The increase in receipts for the four months of the current fiscal year is shown in the annexed table to be a dant ow

A sufficient explanation of this increase which is equivalent to an advance of The estimates for completing the track \$25,500 per annum-is that the road had from its present terminus, near the Pee passed the Pee Dee River and gone four Dee to Charlotte, sixty-one and a half miles into a comparatively improved and populated country. The receipts from both freight and passage are daily on the The report of the Assistant Engineer in increase, as business is turning from its old channels in South Carolina to the Wilmington market and shipping points.

North, South, West and Southwest; the North Cardina Ballav; the Charlotte. Columbia and Augus a Railway; the At-I have recommended a good rail of fifty- lautic, Tennessee and O io Railway, (to four pounds to the yard, with fish-joint Statesville, on the Wes ern N. C, Railroad, fastenings. This makes the cost about by which we reach Asheville and West of \$100,000 greater than it would be if we the Blue Ridge a soon as that road crosses lea t important is the ' Great Air Line" I believe the best is the cheapest if we from Atlanta to Charlotte that will meet can obtain the means to use it, but if not, us here, and by which the line from Wil-Who c n estimate the large business

> The subject of our trans-continental connection is one that should not be lost Ours is the shortest line from Memphis to the Atlantic, and will pass the Blue Ridge with grades of (60) sixty feet to the mile and with less than one eighth of a mile of

system of railways will be assured.

present prices of iron and labor. The Western Division can be finished to Shelbyville, (11 miles) for \$78,100 with a fifty pound rail. The whole estimate for completing the track from Wilmington to Shelbyville, (240) two hundred and forty miles, is (\$875,800) eight hundred and seventy-five thousand eight hundred dol-3. The gross receipts and expenditures

to about three-fourths of a million of dollars; a sum amply sufficient, not only to render the work self-sustaining, but to pay an income to the share-holders. 5. The Bondholders are therefore asprovided the track can be carried on to Charlotte. If the holders of the first mortthe work progresses, our second mortgage

I am sure, by a united effort on the part of the friends of the road and a fixed determination on your part to complete the work, it can and will be accomplished, and uch effort and such determination I am confident will be given it. 198173 001 10 15

795 00 He officiated at the funeral of the late Al-

for contracts made by wives; referred. ry, competent and faithful men at fair and living prices, &c.

Mr. Hargrove offered a substitute that living prices, &c.

Mr. Hargrove offered a substitute that living prices, &c.

Mr. Hargrove offered a substitute that the Mr. Anderson moved to amend the House attend as a Committee of the Amedical journal estimates that the Mole, headed by their Speaker, at 12 M. people of the United States pay one hungard and insert \$500 as the salary of the Assistence and for Court of Impeachment now in progress, and for the United States pay one hungard and twenty-five million dollars yearly for physicians' services and for the House attend as a Committee of the Amedical journal estimates that the people of the United States pay one hungard and twenty-five million dollars yearly for physicians' services and for the House attend as a Committee of the Mr. Hargrove offered a substitute that the House attend as a Committee of the Amedical journal estimates that the House attend as a Committee of the Amedical journal estimates that the House attend as a Committee of the United States pay one hungard and twenty-five million dollars yearly for physicians' services and for the House attend as a Committee of the House attendance of the House attendance of the House attendance of the House attendance of the House The Chair appointed the following com A medical journal estimates that the the mise. It is a state of the mise at 1 and 1 Judiciary-Robbins, of Rowan, Allen Edwards, Linny, Graham, of Alamance.
Finance—Worth, Whitesides, McClam—ant Clerk of the Treasury. SPRUNT & HINSON, After a long and running debate, Mr. and that the House hold evening sessions medicines. reallo to noligarrob del not si.945 00 inary up to the close of last week. my, King, Ledbetter,

FRIDAY, FEBRUARY 10, 1871,

## VOLUME TWENTY. SEVEN.

With this issue, the WILMINGTON JOUR NAL enters upon its Twenty-seventh annual volume. Never in its long career had its conductors more reason to be satisfled with its business and prospects than now. Each year it has strengthened and extended its field of operations.

The present Proprietor intends, before 1871 closes, to increase the size the paper, and improve it in many re spects. The details of these changes will be given hereafter. It is his determination to render the Journal every way worthy of the extensive patronage it is receiving, and make it indeed a household necessity.

THE unusually heavy pressure upon our columns necessarily crowds out several advertisements, which should have ap peared in this issue. We ask the indul gence of our advertising friends, giving them the assurance that their favors will have the requisite number of insertions.

### Impeachment,

We trust none of our readers will fail to read the evidence before the Court of Impeachment published to-day. Out of his own mouth is the Governor convicted .-His letter to Kirk, providentially found, contains sufficient evidence to pronounce him guilty. It would seem that his conviction is a foregone conclusion.

This trial should be read by every citizen of the State, and of the United States

## The New Delaware Senator.

There were many remarakble circumstances in connection with the Senatorial election in Delaware. Although every member of the Legislature is a Democrat, a Democratic caucus was held, and, strange to say, the three candidates before it were all Saulsburys, and brothers. All the members of the Legislature were present. electing Eli over Gove by a vote of 16 to

Willard Saulsbury. 13 13 Gove Saulsbury....14 14 15 Eli Saulsbury.... 3

We give elsewhere the several days proceedings in the Impeachment trial. Besides, by means of a special corresadvance of the publication of the proceed-

The Sentinel briefly epitomizes the evidence of Friday, which was crowded out the law, has become himself a violator of John B. Neathery; and thereupon the ac- be true if the military must do as the law military possession, to order the arrest of gress" and says: "I have been compelled by the length of Major Sparrow's speech.

On Friday, when the returns of Col. George corpus cases were offered, much time was con-sumed in arguing that it was not proper evi-Wm. Larkins, Clerk of the District Court and remained half an hour before he was allowed posited by Judge Brooks in his office. The reapondent's counsel, instead of admitting, required proof of Judge Pearson's handwriting as well as that of Judge Brooks and Gov. Holden. Benator Moore demanded, he said, as a juror, that the evidence in the habeas corpus cases be read. When the Clerk had read some time, Col. McCorkle, for respondent, seeing the impatience and, perhaps, the disgust felt by a majority of the court, said they would waive the reading.

Mr. Butjes, of the National Hotel, was called with his register, to prove that Kirk and Bergen registered as from Tennessee. This was objected to, but admitted by the Court. The register showed that Kirk and Bergen registered from Tennessee until after July 22d, when they registered as from North Carolina. The Respondent ienies that his troops were from Tennessee. Mr. Moore, in violation of the rules of the Sen-

made a point of order which silenced him. John Neathery, the Governor's Private Secre-tary, was called and sent for three several times doorkeeper stated they were hunting him up, as if he thought John was hiding.

This delay cannot save the culprit. As to the

# "Save Me From My Friends,"

Rats are said to leave a sinking ship. Instinct indicates their danger. When, therefore, we see a few pig-headed individuals exercising the same discretion -no more—than that displayed by these braindestruction, we are not to be suspected of tous issues. Are the principles of liberty giving them any credit for superior sagacity, and certainly we cannot be accused of wicked-no leader, good or bad, but have been cursed with followers who betrayed and habeas corpus, to be preserved in this them by military force, and suspended cause failed. Cowardice is not uncommon among men. We have in our minds eye men who followed the Confederate flag to the liberties bequeathed to us by our Engthe cannon's mouth, and afterwards, in the lish and American ancestors, or have we favoring smiles of its conquerors.

Governor Holden could not hope to escape the fate of ordinary mortals. He must expect, now that his career has ignobly culminated, and his guilt is being brought to light, that many of his followers, those who fawned upon him most in his heyday of power, will betray him in order to escape his ignominy and fall. We have been shocked already at the character of the evidence produced against the Governor, mostly from his own letters, as much as we were prepared for the proof of his guilt, but we did not think at this early stage of the trial that his own friends fondly supposed, real, substantial, built as used in the Constitution, is medified, under the provisions of the act of 1869- to approach the said window he saw the could justify themselves in pronouncing

During the debate in the House of Rep-

Mr. Justice is a Republican member of the House from Rutherford county, and the small modicum of sense he possesses, against the passage of the resolution merely to place on foot the trial of the Governor. Now he talks as familiarly of im-

"As maids of thirteen do of puppy dogs." Rat-like he anticipates the danger, and intends to place himself in the "line of safe precedents." If the Governor is not guilty of "too much Ku-Klux" he deserves impeachment at least for "too much Littlefield." Fie upon such contemptible Holden did himself when he employed him, that Littlefield was a scoundrel. He knew that the whole Radical State government was composed of a set of thieves, as well as Sam. Phillips did, when he consented to be used as their most available tool to fasten them upon the Public Treasury for another term. It is too late now for Mr. Justice to talk of impeaching anybody for railroad frauds. He has voted to sustain these corruptionists since their well, by the procurement and order of the insurrection as already defined. guilt has been known to him. He deserves no credit for deserting his fallen friend. His discretion is not a whit superior to the instinct of the rat.

## From the Raleigh Sentinel. IMPEACHMENT

SIXTH DAY.

SENATE CHAMBER, Feb. 2, 1871. The Court met at 12 o'clock M., pursuant to adjournment. Honorable R. M. Pearson, Chief Justice, in the chair. Proclamation was made in due form by

the doorkeeper. The roll of Senators was called and querum found to be present. Senator Lehman moved that the reading of the Journal of the proceedings of yes-

terday be dispensed with. Prevailed. Mr. Sparrow, Chairman of the Board of Managers, opened the case on the part of the Managers, in substance as follows: Mr. Chief Justice and Senators:

The partiality of the Board of Managers of Impeachment, a statement of the facts, and of the law as applicable to the facts A. Wiley. The following table shows the result of the on which they rely in support of the four ballotings, the fourth and final one Articles of Impeachment preferred by the cused upon the Treasurer of the State, for and in every month in the year? Why the Court had been appointed to try them his conviction.

shall continue to publish as much of this ferred by the people of North Carolina dollars; that the Honerable Anderson peculiarly qualified for the perpetration of firmly but respectfully to decline to deliver against the Governor of North Carolina, Mitchell, one of the Superior Court Judges, outrages upon the persons of unoffending the prisoners." for an alleged invasion of their rights as on application to him made, issued writs citizens, and of suspected persons, and by The Chief Justice, in announcing his pondent, we shall keep our readers posted their liberties. It is a charge preferred by them from paying said money to the said as to the salient points of the trial in the people that he, who was exalted by troops; that thereupon the accused incit- nesses. their suffrages to the highest office within ed and procured the said A. D. Jenkins, The civil authorities are more compeand disorderly to punish the innocent and purpose of paying the expenses of, and were, we expect to show by the evidence, Williamson and Col. McAllister in the habeas unoffending, verifying in his person the keeping on foot the illegal military force companies of the United States troops sta-Scriptural maxim, "When the wicked are aforesaid. in authority, the people mourn."

Those who may imagine that this imsuccessor, one of his own party, the Lieufar above all party considerations. It is not tend to bring, but will not actually the uprising of an outraged and oppressed bring his office into public contempt? people, to vindicate the violated law.

Mr. Chief Justice and Senators, the peodistinguished for their obedience to law and peculiar traits of character pre-eminent above all others, they are these. It has been so in all their history, from the 20th cost, the people can stand it to punish the man been so in all their history, from the 20th whose administration sunk them millions of day of May, 1775, of Mecklenburg memory, to the present time. The cause which they seek to vindicate before this tribunal, is not theirs only, but the cause of all people who seek to preserve the forms of constitutional government, and civil liberty. It is the cause of all free people, and of all people struggling to be free the world over -the cause of New York and Missouri as well as of North Carolina. The question less quadrupeds, in anticipating certain is a great question—the issues are momenbuilt up, established and perpetuated in Great Britain-handed down to our fathers -adopted by them and cemented with complimenting their honesty. No cause, their blood—are these great principles of however grand or noble, however evil or the English bill of rights of 1689, incorinto that instrument-of the great charter one or the other, when the man or the country? No less issues than these are civil authority, when he well knew that in the enjoyment of constitutional freedom? Have we preserved, unimpaired, defeat, abandoned it and its friends for the adopted a higher law than these, the law of tyrants and of temporary majorities which override and subvert, at will, the

powers of constitutional freedom? Mr. Chief Justice, when those in whose persons the rights of freemen and the law of liberty have been violated, by their unappealed to the Judiciary for relief in vain -when the people through their representatives shall have called upon the Senate sitting as a Court of Impeachment for rising against civil or political authority; ought to be taken, imprisoned or disseized redress in vain—then indeed will our lib— the open and active opposition of a number of his freehold, liberties or privileges, or window in the Court House, one of whom, which we shall substantiate by the evierties have departed; then will a revolution of persons to the execution of law in a outlawed, or exiled, or in any manner dein our form of government have taken city or State." place, fearful in its proportions and re- It will doubtless be argued here, as alized by none of us; then will the glorious was argued before the Chief Justice at temple of liberty reared for us by our chambers in the habeas corpus cases, that Constitution, by what authority is it claim- ately retired; affiant had not gone within fathers, instead of being as we had too the meaning of the word "insurrection," ed that these arrests were made? Is it the line of sentinels, but after his attempt

ture and character of the offences preferhe accused.

against the accused.

rests of peaceable citizens, whom he im- itself is a nullity. prisoned, beat, hung by the neck, and otherwise maltreated. Article II charges that he did the same

in the county of Caswell. Article III charges the unlawful arrest

and imprisonment of Josiah Turner, Jr., in the county of Orange, by the procurement and order of the accused. Article IV charges the unlawful arrest

and imprisonment of John Kerr and three other citizens, in the county of Casaccused

Article V charges the unlawful arrest Moore, in obedience to the writ of habeas orpus, to the civil authorities.

Article VI charges the arrest of John officers, and the refusal of said Kirk, by by him as prisoners, to the civil authorities in obedience to the writ of habeas cor-

Article VII, charges,

army of desperate men, commanded by of men to the officers of the law. Kirk, Bergen and Yates, all desperadoes from the State of Tennessee.

21. The hanging by the neck in Alahas devolved upon me the responsibility of mance county, of William Patton and Lumaking to the Senate, convened as a Court | cian H. Murray, and thrusting into a loathsome dungeon Josiah Turner, Jr., and F.

3d. Unlawful warrants made by the ac-House of Representatives against the Gov- large sums of money, for the unlawful purernor of the State, and upon which they pose of sustaining and maintaining the Caswell, or of Outlaw in Alamance, con- der them on Governor Holden's order, but expect to urge before this honorable body lawless bands of armed men organized as

aforesaid. The spectacle exhibited in this Senate | Article VIII, charges that the accused, the annals of our country. It is the ar- sums of money on the public Treasurer for should the military be called on to ferret Kirk had refused to make return of the raignment of the chief executive officer of the unlawful purpose of paying the armed out secret crimes? Have the men who writ, and asked whether Kirk "acted under a State, by the people of a State, through men before mentioned—caused and pro- usually belong to military organizations his orders." On the day following the acthe representatives of the people at the cured said Treasurer to deliver to one A. any peculiar aptitude or fitness for such cused replied that "Col. Kirk made the par of the Senate, for crimes and misde- D. Jenkins, appointed by the accused to duty more than the sworn officers of the arrests, and now detains the prisoners meanors in office. It is an accusation pre- be paymaster, the sum of forty thousand himself become a doer of evil-that he the Court, and to deliver the money to bring to justice secret violators of the law the law—that he whose sworn duty it was cused ordered and caused the said John requires, turn over offenders when arrestto protect the innocent and punish the B. Nearthery to disburse and pay out the ed to the civil authorities for trial. Even

This enumeration of crimes and misdemeanors, Mr. Chief Justice and Senators, after the organization of these forces. peachment of the Governor is an attempt which are more particularly described in of their triumph, to depose from his high we propose to make good by proofs, emembraces, also, acts which are criminal in Carolina. tenant Governor, who is far less obnoxious law, and will subject the offender to into the people. It is a movement, Mr. dictment before the Courts; and who will Chief Justice and Senators, which rises say that a conviction thereof will not only troops or militia, as meant by the Consti-

In the commission of these offences the accused has not only violated the act of ple of North Carolina have always been the General Assembly, before mentioned, but also the fundamental law of the land their love of liberty. If they possess any which he has sworn to support and main-

lowing sections of article 1st of the Constition of Rights: (Read sections 17, 21 and

24 of said declaration.) Mr. Chief Justice and Senators: The first and second Articles of Impeachmnt declare, "that by the Constitution of the State of North Carolina the Governor of said State has power to call out the militia thereof to execute the laws, suppress riots or insurrection and repel invasion. whenever the execution of the law shall be rection or invasion, but not otherwise."-And they allege that the respondent, with intent to incite war, subvert liberty and law, and to degrade the State and people, porated by the framers of our organic law proclaimed the counties of Alamance and Caswell to be in insurrection, occupied involved in this proceeding! Do we live such proclamation was groundless and false, and that there was no insurrection in said counties.

This raises, as it seems to the board of managers, a very important question for the consideration of this honorable body. to wit: the precise meaning and import of the word insurrection, as used in the Constitution of the State of North Carolina. (The honorable Speaker then defined the word, citing various authorities,) showing or having been made without his order. that no such thing as a constructive insurlawful arrest and imprisonment, shall have rection can exist, in the face of expressed authority, constitutional and statute, de- bis agents? fining what is required to constitute an insurrection; which, as he states, "a North Carolina declares that, "No person

amending the articles of impeachment had been misconduct in his official capacity; 2d, lature the right to declare that to be in- and Senators, is better settled in this land leave, or he would be fired into; affiant freedom and personal liberty may again to the gentleman Habitual drunkenness; 3d, Intoxication surrection which is not insurrection? In of liberty than the exemption of citizens then left, and made no further attempt to become the proud boast of the citizenamending the articles of impeacement had been established, he would suggest to the gentleman (Mr. Justice) that he offer a 9th article, covering the ground of this unauthorized issue of bonds, &c.

In the control of the discretionary power of the covering the ground of this unauthorized issue of the discretionary power of the discretionary pow Mental or physical incompetence to dis- sembly, had he the authority to declare a In the charge the duties of his office; 6th, Any county to be in a state of insurrection, arrested in the county of Orange, which criminal matter, the conviction whereof when there was no insurrection. For the had not been proclaimed to be in insurrecprotested in the name of his people, with would tend to bring his office into public abuse of such authority, even if it were tion, and therefore the respondent is decontempt. After showing the bearing of the law upon the conduct of the Respond- ameanable to the Court of Impeachment? justification. And his plea that he did not ent, Mr. Sparrow went on to state the na- These questions carry with them their order his arrest in that county, but only in own answers. It is not within the pro- the counties of Alamance and Caswell, red in the Articles of Impeachment against vince of the Legislature to construe and cannot avail him, as he confesses that when And this brings us to a brief statement of the affects of the offences of the articles of impeachment which had become law, except in certain detention of the prisoner, thereby giving exceptionary cases. [See Houston vs. Bogle, 4 Iredel 496, and cases cited.] This Article I charges, substantially, that the Much less is it within the power of the Le- extend beyond the place where the insuraccused corruptly and wickedly declared gislature by any acts of theirs to declare rection exists; nor to persons not connected the county of Alamance to be in "insur- the meaning of an article in the Constitu- with it; nor even within the scene, to perrection," whereas there was no insurrection; and if it cannot define, how can it sons or property of citizens against whom tion: that he took military possession of altar, modify or abridge its meaning? If no probable cause exists. [See Luther vs. cowards! This Radical reformer knew as the county by armed bands of lawless and such was its purpose, which is not be- Borden, 7 Howard, p 84. well last year as now—he knew as well as desperate men, organized without lawful lieved, in passing the Acts of 1869-'70, its As conclusive of this whole matter the authority; and that he made unlawful ar- action was unconstitutional, and the Act Chief Justice in ex parte, Moore, decided

The Legislature cannot give to the Conframers of that instrument—put upon an it violates the bill of rights." [See Habeas duction of the prisoners before the court, resumed by the prosecution. Mr. Bagarticle thereof a construction which it will not bear-pronounce that to be insurrection which is not insurrection, and so encourage a violation of law of the land and the liberty of the citizen. We shall insist, others, citizens of Caswell county, and the therefore, that in this investigation it will not be competent to give in evidence, any the orders of the respondent, to surrender state of facts, which do not go to make up We are prepared to show, on the con

trary, that there was nothing in the condiand imprisonment, in the county of Ala- tion of the counties of Alamance and mance, by order of the accused, of Adol- Caswell which goes to fulfill the conditions phus G. Moore, and the refusal of George of an insurrection. There were no upris his authority. W. Kirk, acting under and by the authority ings of the people to resist the enforcement of the accused, to surrender the said of the laws or the officers of the law. The people of those counties were in complete habeas corpus shall not be suspended. subordination to lawful authority. The Adolphus G. Moore, a citizen of Alabusiness of the country was not interrupted. mance, filed his petition before Chief Jus-Kerr and eighteen other peaceable citizens | The farmer was in his fields—the mechanic | tice Pearson at chambers, on the 16th of of Coswell county, and their detention and was in his workshop—the merchant behind July, 1870, in which he alleged that on the imprisonment under the orders of the ac- his counter—the minister of the Gospel in 15th day of July, 1870, while he was about cused, by a large band of armed men, un- the pulpit. The officers of the law were his lawful business in said county, he was lawfully organized into an army and com- in the undisturbed exercise of all the func- arrested and detained by a squad of permanded by George W. Kirk and others as tions of their offices. The Justices' courts sons purporting to be soldiers, acting unwere open—the courts of the Probate der the order of one George W. Kirk .the order and command of the accused, to Judges were open—the offices for the reg- That bail was offered by him and denied surrender the said citizens, unlawfully held istration of deeds and conveyances were by said Kirk—that his arrest was without open - the sheriffs and constables executed warrant and for no cause, and he therefore the process of the courts undisturbed, - prayed the Chief Justice to grant him the 1st. The unlawful organization of an is known, was there resistance by any body forthwith the petitioner before His Honor

Is it a sufficient answer to all this to say, secretly murdered in the day time, and served upon the said Kirk, who upon being that in Alamance county one man was secretly hung, and another secretly drowned, | could take no notice of such papers—that ring in all parts of the country every year, instructions to disregard such papers-that should the secret murder of Stephens in (the prisoners,) and that he would surrenstitute insurrection in those counties, not otherwise unless overpowered by force. more than the secret murder of Nathan in the city of New York should put that city Chief Justice on the 18th day of July, he law? The men sent to these counties were named, by my order. He was instructed

tioned in both these counties, sent there by the Governor of the State before and

Mr. Chief Justice and Senators, it is of a successful political party, in the flush | the Articles of Impeachment, and which | charged in the fifth, sixth and seventh articles of impeachment, that the military office one who has made himself politically braces all the offences of which a person force organized, armed and equipped by obnoxious to them, greatly under estimate is liable to be impeached, as set forth in respondent, and sent under the command the case, and impute unworthy motives the first and sixth sub-divisions of the of one George W. Kirk into the counties where none exist. As a party measure it 16th section of the impeachment act of of Alamance and Caswell, were unlawful would be fruitless of results, as the remov- 1869, already referred to. It embraces troops; an armed force not recognized by al from office of the present incumbent acts which amount not only to misconduct the Constitution of the United States, nor would place in the executive chair as his in office, but "corruption in office." It by the Constitution and laws of North

Mr. Sparrow then cited numerous au-

Was this the character of the force orwere not organized as militia under the militia laws, but were raised as an indetution of this State, known as the Declara- joining locality in the State of Tennessee, and that the Colonel, Lieutenant Colonel, by the respondent and commanded by George W. Kirk, called State troops .-Such a military force was not only authorized by the Constitution of the State, but 1st article of the Constitution of the United States, which declares that "no State shall, without the consent of Congress, keep troops or ships of war in times of peace.' The third and fourth articles of impeachment charge the unlawful arrest, detention and imprisonment, by order of the respondent, as Governor, of Josiah Turner, Jr., in the county of Orange, and of John could not see Colonel Kirk. He, Kerr and three others in the county of the said Yates finally said Col. Kirk was which letter we propose to put in evi-

Caswell, without any lawful warrant or au- bosy, but might see him in half an hour. dence. thority. Was the arrest of these men unlawful? Was it made by order of the respondent : were they detained and imprisoned with his knowledge, approval and consent by

Section 17 of the declaration of rights of

Mr. Sparrow then defined, very forcibly, the character of, and what constitutes under the laws upon the subject, impeachable to protect its citizens in the enjoyment of life and property, to declare a member of the Committee appointed to investigate the issue of some to the Western Division of the Western Division of

declare the meaning of Acts of Assembly informed of the arrest, he authorized the is the peculiar province of the courts. - stance. Even the rights of war are not to

that as a means to suppress insurrection, "the detention of the petitioner as a milistitution a meaning not intended by the tary prisoner is not a proper means, for Corpus case, p. 33.

Articles five and six charge the arrest and imprisonment of Adolphus G. Moore, of Alsmance, and John Kerr and seventeen refusal of George W. Kirk, acting under them to the judiciary for examination in obedience to the writ of habeas corpus. The respondent acknowledges that said

Section 21, of the declaration of rights, declares that "the privilege of the writ of

that the refusal to deliver them in obedi-

ence to the exigencies of the writ was by

regular terms of the Superior Courts were writ of habeas corpus, to be directed to the held, and at no time and no place so far as said Kirk, commanding him to produce together with the cause of his arrest. The writ was granted as prayed for on the same that in Caswell county a State Senator was day. On the 17th dap of July it was duly informed of its contents declared "That he and others secretly whipped? How do they had played out—that he was acting these cases vary from similar ones occur- under orders from Governor Holden, with This return having been made to the

secured to them by the Constitution and of injunction which were served upon the threats, intimidations, hanging by the decision on a motion for the arrest of fessions from unwilling or innocent wit- clare my opinion to be, that the privilege of the writ of habeas corpus has not been suspended by the action of His Excellency; their gift, to be a terror to evil doers, has paymaster, to disobey the injunction of tent and better qualified to detect and that the Governor has power under the Constitution and laws to declare a county who was sworn to support and maintain another agent of the accused, to wit one than the military. Especially must this to be in a state of insurrection, to take all suspected persons, and to do all things necessary to suppress the insurrection, but guilty, has made instruments of the wicked money so delivered to him, for the illegal if military aid had been wanting, there he has no power to disobey the writ of hvbeas corpus, or to order the trial of any citizen otherwise than by jury. According to the law of the land, such action would be in excess of his power."

Writs of habeas corpus were also issued on the 26th day of July upon the petition of John Kerr and eighteen others, citizens of Caswell county, by the Chief Justice. There writs were placed in the hands of George Williamson, for service on the said Kirk. On the 29th of July said Williamson filed an affidavit, which I propose to read:

"George Williamson makes oath that, he is a citizen of the county of Caswell, and a qualified elector of the State of North Carolina; that writs of habeus corthorities to show what constitutes lawful pus in behalf of all the persons above named, issued by Richmond M. Pearson, once." tution and laws of this State and United | Chief Justice of the State, were placed in his hands, for service upon George W. Kirk. That he went to Yanceyville with ganized by Governor Holden, and sent the said write, on the 27th of July, 1870; into the counties of Alamance and Caswell? that the prisoners above named were, as We are prepared to prove that these men he was informed, confined in the Court House at that place; that he found armed sentinels surrounding the Court House; pendent volunteer force, recruited mainly that for the purpose of seeing the said from one locality in this State and an ad-George W. Kirk, and serving the said writs, he attempted to enter the Court House square, when he was stopped at the and Major of one of the regiments were gate thereof by a sentinel at the said all men of desperate character from the gate; afflant told him he wished to see State of Tennessee. And very many of Colonel Kirk; an officer was then called, the men recruited were under and over the and came out; he was said, in affiants preage prescribed for the militia in the Con. sence, to be the Adjutant; he asked affiant his letter is as follows: stitution. Neither in the Constitution of what was his business; affiant told him he the State, nor in the acts of 1868, nor in had a communication for Col. Kirk; he ers, unless the army of the United States, the Shoffner act of 1869 '70, is there any asked the nature of it; affiant told him he under your orders, shall demand them." provision for the character of troops raised preferred to see Col. Kirk; the said Adjutant then entered the Court House, and a person said to be Major Yates, came out States district court, at a later day, to wit, to affiant—asked affiant's name, and that on the 6th day of August, issued his preof another person with affiant, which was cept in the name of the President of the proof. was organized in express violation of the given him. The said Yates then asked United States, directed to Kirk, commandaffiant what was the nature of the commu- ing him to produce the prisoners before nication he had for Col. Kirk. Affiant told him at the Court House in Salisbury, imhim they were writs of habeas corpus issued by Chief Justice Pearson (taking the said writs from his pocket at the time which he that it had all along been his intention to wished to serve upon the said Kirk. He surrender the prisoners, "as soon as the told affiant that he would have nothing to safety of the State should justify it," ando with them-and that he, affiant, nounced, for the first time, in his letter of

square, afficint again went to him, and meantime thrusting them into jail. asked him what Col. Kirk said, whether he could see him. He replied that Col. Kirk charges contained in the eight and ninth of Mr. McAllister, that he served the prorefused to have any communication with articles of impeachment. affiant. Affiant then retired some fifty I will here ask one of my associates on yards and took his seat under a tree. He the Board of Managers to read a statement | that McAllister was not an officer. saw two persons standing at an upper of facts which has been prepared and prived of his life, liberty, or property, but affiant then attempted to approach the by the law of the land." window, holding up said writs in his hand In the face of this plain provision of the the person said to be Col. Kirk immedijudgment the civil authorities in any tional. It is claimed that the county of diately a drum was beaten; affiant then full hearing of the case

GEORGE WILLIAMSON. Sworn and subscribed before me this the 29th day of July, A. D. 1870.

W. H. BAGLEY, Clerk." Mr. Chief Justice and Senators the unlawful conduct of the respondent, complained of by the people, cannot be put in a stronger light than by reference to the effect produced by the soldiers organized by his orders, and sent into the counties of Alamance and Caswell. The desperate men not only arrested innocent and unoffending citizens, some of them men like John Kerr and Samuel P. Hill, whom the State had honored with high offices and who had proved themselves not unworthy of the confidence bestowed, but they defied and thwarted the action of the Judiciary of the State, (always heretofore the oulwark of civil liberty,) in affording re- ascertained to be present. lief to the prisoners. Is not the fact notorious that the Chief Justice, having issued Orange, the reading of journal was disthe writs as prayed for in the case of pensed with. Moore and others, having ordered the prothe court speak for itself:

ion certain, that the writ in the hands of tures, &c. the Sheriff (with authority to call out the power of the county) by which he is com- stated that if the other side proposed to manded if necessary, to take the petitioner read what he (Chief Justice) in his judiprisoners were detained by his orders and out of the hands of the military authori- cial capacity had signed, they had no obties, will plunge the whole State into civil jection, but they (prosecution) could not

right by the Judiciary of the State would and sworn to, &c. He supposed the other have brought on a conflict with the mili side intended to read the whole of the patary organized by the Governor, and there- pers, therefore, they would now raise the fore they decline to enforce the writ. The point. Governor, by his military, not only established a terrorism over the people, but he tion, said they intended to read from the silenced the voice of the Judiciary.

The respondent claims that he was authorized to call out the militia to suppress a communication from Abbott, Pool and insurrection and to make arrests, and that O. H. Dockery in reference to the sub-

execute the laws, suppress riots or insur- gressmen would not admit of their coming rection and repel invasion, had such a in person, and suggested that their evistate of things existed, but no such state dence be taken before some commissioner of things did exist, and even if it had, he at Washington. would be assponsible for the abuse of that The petition of John Kerr, S. P. Hill. power before a Court of Impeachment. N. M. Roane and the other arrested citiabuse of discretionary power by public officion a writ of habeas corpus to release them cers is punishable by impeachment.)

The respondent in his answer to article V, says: "It was his purpose to detain davit of E. B. Holden read. the said Adolphus G. Moore and the other persons so arrested in the said counties of whom it was sworn to. Alamance and Caswell, only until such time as he might with safety to the State surrender them to the civil authorities."

sincerity of this declaration by facts which stood that when the return was made bewe shall put in evidence. These facts will fore a judicial officer, and there being no also tend to show the animus of the respon- objection at the time that it was not made dent in these proceedings, and deprive him upon proper evidence or upon proper ser-Chamber to day is without precedent in as Governor, made his warrants for large in a state of insurrection? And why immediately informed the respondent that of the plea of "good intent," if indeed vice, and an adjudication takes place besuch plea could avail him in this trial.

> "If Congress would authorize the suspension, by the President, of the writ of Mr. Boyden understood this to be the habeas corpus, in certain localities, and if case as to a Court of record and the doceriminals could be arrested and tried be- trine did not apply to any other Court. fore military tribunals, and shot, we should Our Courts had always required suits

laws of the land, and the subversion of said Treasurer and Paymaster, restraining neck, and other like means to extort con- Kirk for contempt of Court, said: "I de- soon have peace and order throughout all brought upon a judgment before a magisthis country. The remedy would be a trate, that the handwriting of the magissharp and a bloody one, but it is as indis- trate issuing the warrant be proved. If pensable as was the suppression of the re- it is returned before a different magistrate, bellion."

the "Senators and Representatives in Con- writing, &c. to declare the county of Alamance in a state of insurrection. I have called on essary to take out the writ. the President for aid. But he is restricted by the writ of habeas corpus. We want mistake, but his remarks would apply to military tribunals by which assassins and murders can be summarily tried and shot; but we cannot have these tribunals unless the President is authorized to suspend the habeas corpus in certain localities. Please aid in conferring this power on the President, as the only effectual mode of proteeting life and property in Alamance and other localities in this State."

And on the 17th of the same month he appeals to Mr. J. C. Abbott, U.S. Senator co., in this wise:

"What is being done to protect the good citizens in Alamance county? We have federal troops, but we want power to act. Is it possible the government will abandon its loyal people to be whipped and hanged? The habeas corpus should be suspended at

So much as to the animus of the respondent. Now as to his purpose to reease the prisoners.

filed July 16th, 1870. That of John Kerr and others on the 26th of July, 1870. We propose to show by the correspondence of the respondent, that he had, at this very time, provided for the calling of of a private individual. If this were a a unlitary court to try the prisoners then precept directed to any known officer, his held in custody, and that it was his purpose to convene the same the first week in part of the ordinary business of the Mar-

writes to the President of the United States, and the concluding paragraph in a proceeding before the Chief Justice at

When Judge Brooks, of the United mediately, then it was for the first time. that the respondent made the discovery August 15th, 1870, to the Chief Justice,

Affiant then retired to the piazza of a store, Then it was, that for the first time, he in view of the Court House. Some half ordered George W. Kirk to obey the writs an hour or more afterwards, seeing the of habeas corpus, having protracted their said Yates at the gate of the Court House imprisonment until the very last hour,

Then Mr. Sparrow recapitulated the

Mr. Manager Johnston read the statemenl of facts, reciting the many outrages perpetrated by agents and tools of the respondent, while engaged in carrying out the orders of said respondent.

of strong rock and founded on rock, have become as the house of the foolish man—bly of 1869-770, "to secure the better protection of life and property." The provisions of that built upon the sand—swept away like built upon the sand property." The first cases before him (the C, J.) that the write built upon the sand built upon the sand window, in the built upon the sand—swept away like built upon the sand property." The first act of loss of the sand because the better protection of life and property." The provisions of that the provisions of the Coll. Kirk, when at said window, in the vestibule of the Court House, on the lower gers and their learned associate counsellors, the provisions of that the provisions of the court has been to like the provisions of the court has been told was like built upon the said window, in the provisions of that the provisions of the court has been told was like built upon the said window, in the provisions of the court has been told was like built upon the said window, in the provisions of the court has been told was like built upon the said window, in the provisions of the court has been told was like built upon the said window, in the provisions of the court has been told was like built upon the said wi Mr. Sparrow [resuming]. Mr. Chief built upon the sand—swept away like tection of life and property." The first act do not authorize such arrests, and if section of life and property. The first act do not authorize such arrests, and if section of that Act authorizes and embedded to confer that authorises and their learned associate counsellors, cases before him (the C. J.) that the write do not desire the conviction and depositions of the conviction and deposition and depositions of the conviction and depositions of the conviction and deposition resentatives on Monday we find the follow- of power and the "necessity" pleas of powers the Governor "whenever in his ty such provisions would be unconstitu-

our liberties be perpetuated, and our beloved North Carolina continue to be the pride and glory of her children, long years

after these granite walls, within which we sit, shall have crumbled into dust. Then followed the introduction of documentary evidence, consisting of the oath of office of the Governor, the letters and orders of Gov. Holden, the pay-rolls of the Kirk army, &c. Interesting debates were elicited upon the question of the admission of certain documents as evidence.

## SEVENTH DAY.

The full report of Mr. Sparrow's speech

precludes more of the proceedings.]

The Court met at 12 o'clock, Chief Justice Pearson presiding. The proceedings were opened with the

usual preliminaries. The roll was called and a quorum was On motion of Senator Graham, of

The examination of W. H. Bagley was and when this order was disobeyed, the ley testified that the papers then before court declined to adopt the usual and neces- the Court (in reference to the habeas corpus sary orders to enforce obedience to its cases before Judge Pearson last summer) mandate! And for what reason? Let were the papers placed in his charge by Judge Pearson, that the signatures of the "It is highly probable, nay in my opin- Judge upon them were genuine signa-

Mr. Boyden, counsel for respondent. read the returns without proving the off-So the enforcement of the great writ of cer before whom the returns were made

> Mr. Merrimon, counsel for the prosecucopy as it was more convenient.

The Chief Justice had read to the Court he is sustained in this by the Judiciary. poens served upon them. The communi-And so he had power under the laws to cation set forth that their duty as Con-

(Here is read authority showing that zens of Caswell county to Judge Pearson from the custody of Kirk, was read. Mr. Merrimon, wished to have the affi

> Mr. Boyden wished to know before Mr. Merrimon replied, L. D. Harrison. Mr. Boyden objected unless it should be first proven.

Mr. Graham, for the prosecution, did We propose to test the truthfulness and not so understand the rules. They underfore that officer, that everything that he On the 10th of March, 1870, he wrote to has ratified is ratified elsewhere, otherthe President of the United States, and wise in offering evidence of a judicial prowhat follows is an extract from his letter. ceeding it would be necessary to produce all the witnesses before the revising tri-

and that magistrate gives judgment, it had Ou the 14th of March, 1870, he wrote to always been required to prove his hand

The Chief Justice said it was not the return that was offered but the affidavit nec-

Mr. Boyden said he had labored under a the offer of the return when made.

The affidavit, made when the petition for the writ of habeas corpus was made in behalf of the Caswell prisoners, was read. Mr. Manager Dunham then read the petition of P. H. Williamson, arrested by Kirk for serving a writ of habeas corpus upon him, to Judge Pearson for a writ of habeas corpus, asking for a release from the custody of Kirk and a hearing.

Mr. Merrimon now wished to offer the return in evidence. Mr. Boyden objected to its admission. Mr. Graham insisted that it was compe tent where a judicial officer had taken cognizance.

The Chief Justice suggested that the writ had better be first read, when Mr. Manager Dunham read the writ of habeas corpus issued by Judge Pearson, in behalf of John Kerr; also, the instructions to the Marshal of the Supreme Court ap-The petition of Adolphus G. Moore was pended to it, in regard to its service. Mr. Merrimon wished the return of that

officer read. Mr. Boyden objected, on the ground that there was no return of any officer, but return would be evidence, &c. It was no shal of the Supreme Court to serve writs On the 7th day of August, 1870, he again of habeas corpus; besides, the return had been made to no court of record. It was

> Mr. Bragg, for the prosecution, insisted that the Chief Justice had a right to designate any one to execute this process; and the return of such officer having been received and passed upon by the Chief Justive, it was sufficient without any further

Mr. Boyden and Mr. Graham further argued the point, when The Chief Justice decided that the re-

chambers.

turn made to the Chief Justice might be read without further proof, the Chief Justice having passed upon it at the time. Mr. Manager Dunham then read the re-The petition of Adolphus G. Moore, to

the Chief Justice, for a writ of habeas corpus, was then read. Also the affidavit of E. S. Parker, stating, to the best of his knowledge and belief, the facts in the petition of A. G. Moore were correct. The order that the writ issue, and the writ issued in the case of A. G. Moore was

read by Mr. Manager Dunham. Mr. Merrimon then offered the affidavit

Mr. Boyden objected, upon the ground Mr. Merrimon replied that the Chief Justice had decided the matter, and had determined in a judicial way, according to law, that the particular facts exist and according to every rule of law they cannot be questioned in this collateral way. Insisted that this action of the Chief Jus-

tice in the matter settled it. Mr. Smith, of counsel for respondent

by the press of the State.

Pending further reading, Mr. McCorkle of counsel for respondent, suggested the propriety of suspending further reading of the State Judge. I advise that the State aupropriety of suspending further reading of thority yield to the United States judiciary. Pending further reading, Mr. McCorkle the petitions, writs and returns. (Here follows a long argument by counsel on both sides as to the admissibility of the returns made to the writs by McAllister as legal returns. The Chief Justice decided that as to the purpose of the writ, the Chief Justice had acted upon it as legal. and it would so be regarded. The counsel for the respondent insisted that they would not admit such as having been le-

William Larkin, the witness previously examined, being recalled on part of Managers, testified as follows :

I am Clerk of the District Court of the Cape Fear District of North Carolina .--(Several papers were handed witness.) This Carolina Militia. (Several papers were nauded witness.) This paper is a petition of Josiah Turner, Jr., for a writ of habeas corpus; this next paper is the writ issued upon such petition by State. It was to disperse this Klan, so that the Judge Brooks. This other paper is the clerk of the Cape Fear District Court, at

pers read.

Mr. McCorkle objected, unless the signature of Judge Brooks, purporting to be signed to these writs, be proved. Because, as the Court, sitting at Chambers is not a Court of Record, the papers cannot be entertained unless the handwritings of the parties are all shown. Counsel for both sides discussed the admissability of this evidence, when the Chief Justice decided it admissible.

Mr. Smith argued against the admission of the evidence, and made citations from the trial of President Johnson, which, he insisted, bore upon the point and sustained him in his position. After further argument, the examination of Mr. Larkins proceeded

By Mr. Merrimon: State whether you attended Judge Brooks, and if so, what you did?

Answer: I attended at the session of the Court for the hearing of these cases at Salisbury, and was directed by Judge Brooks to make such record as was necessary on that occasion. I have the record here with me now.

The Clerk then read petition of Josiah Turner, Jr., the affidavit of J. H. Moore, and the return of Kirk to the writ. Mr. Boyden: That is sworn to before whom?

The Clerk: There is no signature. Mr. Boyden: Does the Court rule that

ruled it was admissible, under the suppo sition that it was sworn to: The clerk then read the minutes made by the clerk of the court.

Mr. Boyden objected to the paper unless signed by the Judge.

by his direction. The clerk then read the order of Judge

Brooks, releasing Josiah Turner, Jr. Question by Mr. McCorkle:

I ask whether your memorandum shows that in the proceedings before Judge Brooks, time was asked on the part of Colonel Kirk to produce evidence as to the guilt of the petitioners?

Mr. Graham objected to the question. Messrs. McCorkle and Badger argued that it was relevant.

The question was allowed to be put. Mr. Larkins answered: I think that on

Thursday afternoon the counsel did ask for an extension of time for reasons which I do not now remember, but I think it related particularly to making their returns. I do not remember that it referred to the production of witnesses. To the question by Mr. McCorkle,

whether the council did not expressly request time to get witnesses to prove the truth of Colonel Kirk's return, witness said, "I do not remember that witnesses were specially named. I remember that great stress was put upon the fact that it would be almost impossible to have the return prepared the next day.

Question by Mr. McCorkle: Was not time asked the first day until the next day to make return?

Answer: Time was asked until next | Col. G. W. Kirk: After further questions of the same ten-

dency, the Chief Justice remarked that the testimony had no relevancy. Mr. Merrimon: We now put in evidence the certified copy of a telegram from the accused to the President of the United them at once

The Clerk read the following:

STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT, Raleigh, Aug. 17, 1870. To the President of the United States:

SIR-The Chief Justice of the Supreme Court of this State, sustained by his Asso. ciate Justices, has decided that I have a right to declare a county in a state of insurrection, and to arrest and hold all suspected persons in such county. This I have done.

But the district Judge Brooks relying on the fourteenth amendment and the act of Congress of 1867, page 385, chap. 28, has issued a writ of habeas corpus commanding the officer, Kirk, to produce before him the bodies of certain prisoners, detained by my order.

I deny his right thus to interfere with the local laws in murder cases. I hold these persons under our State laws, and unless the decision of our Supreme Court Judges who have jurisdiction of the whole matter, and it is not known to Judge Brooks in what manner or by what tribunal the prisoners will be examined and

The officer will be directed to reply to the writ that he held the prisoners under my order, and that he refused to obey the writ. If the Marshal shall then call on the posse comitatus, there may be conflict, but if he should call first on the Federal troops, it will be for you to say whether the troops shall be used to take the pris-

oners out of my hand. It is my purpose to detain the prisoners, unless the army of the United States, under your orders, shall demand them. An early answer is respectfully request-W. W. HOLDEN,

True copy, J. B, NEATHERY,

Kerr and others. | Heretofore published show the arrest to have been made under lawful after being in the service of Gov. Holden. State authorities, he will remand the prisoners. In determining whether the laws of the State

A. T. AKERMAN, Attorney General. (Signed) The President directs me to communicate to you the foregoing opinion of the Attorney General.

WM. W. BELENAP. J. B. NEATHERY, Private Secretary.

A coyy of a letter from the accused to Judge Bond was read: STATE OF NORTH CAROLINA, Hon. H. L. Bond, Judge Circuit Court of the

True Copy:

United States: BIR-Capt. Wenner, the bearer hereof, will lay before you the paper in the habeas corpus case of Lieut. Col. Burgen, of the 2d Regiment North

civil law could be enforced in certain localities, answer of George W. Kirk to that writ. I that the militia was called out. Col. Burgen have the order of Judge Brooks discharg- was employed in the militia, and is now in prison ing Josiah Turner, Jr. I was acting as for offences alleged to have been committed by him.

I shall not venture to intimate to your Honer Salisbury, last August, and they came into my possession at the sitting of the court, would be much gratified if your Honor could when these parties were discharged. They have been in my possession ever since, in my office.

When these parties were discharged. They case here I would respectfully suggest that your honor by being here could obtain a clear view of the state of feeling and the surrounding Mr. Merrimon proposed to have the pa- circumstances, whatever your opinion as to the aw in the case may be.

With great respect your obedient servant,
W. W. Holden, Governor, True copy:

J. B. NEATHERY, Private Secretary. Mr. Merrimon: We now offer in evi- town in which I reside, Jonesboro', for William J. Edwards, a witness on bedence, a transcript of the records of the about two years I think. He resided in half of the Managers, being sworn, tesproceedings in the Superior Court of Ire | the county before that time, but moved tified : before Judge Mitchell, at the instance of has a family. He resided there last sum-R. M. Allison, the several writs of injunc- mer. He removed his family from Jones- office at present. This paper I now have tion served upon D. A. Jenkins, Treasurer, and A. D. Jenkins, Clerk, to prevent know to what point, but understand it brought to the Standard office in Aprilthe payment of public moneys out to the militia, &c.

testified as follows:

sistant clerk. The office of teller was cret the latter part of June, and remained least fifteen months. The papers I now was very busy making preparations to office at that time. have in my hands are warrants of the Gov. move his family into the country. I saw them from the Treasury Department. The clerk then read the warrants

drawn by Gov. Holden upon A. D. Jen- turned. When he left in June he did not kins, Paymaster, for \$66,000.]

testified as follows Chief Justice: The presiding officer had Mr. Larkins. (Examination resumed.) I Kirk had possessin of the Court House, statement. He has resided in Tennessee made the entry by his direction, read it to made the entry by his direction, read it to his Honor, and it was corrected by him.

Which had possessing of the Court House, since his return, and I think in Washing—

on chivalry "on gray haired men and helpless his Honor, and it was corrected by him. It was corrected by him. It was considered in the courty—the same county he resided in that rally in defence of their State. The uplifted hand I women, call in thunder tones on all loyal men to the courty—the same county has resided in that rally in defence of their State. The uplifted hand I women, call in thunder tones on all loyal men to the courty—the same county has resided in that rally in defence of their State. The uplifted hand I women, call in thunder tones on all loyal men to the courty—the same county has resided in that rally in defence of their State. The uplifted hand I women, call in thunder tones on all loyal men to the courty—the same county has resided in that rally in defence of their State. The words "of the prisoner" were inserted I think I know the signature, having seen in before he left. He has resided in that rally in defence of their State. The uplifted hand of instige must overtake these outlaws. the same signature frequently.

Question: Whose signature is this? Answer: William W. Holden's. I have seen his signature frequently. Never saw him Kirk. write.

Mr. A. D. Jenkins recalled. I know the counsel on both sides as to the admissiexamining the papers) I think this is the handwriting of Governor Holden. Mr. Merrimon: We ask to have these

letters read in evidence. The Chief Justice: They may be read. The Clerk proceeded to read.

EXECUTIVE DEPARTMENT, State of North Carolina, Raleigh, July 30, 1870. Col. G. W. Kirk: DEAR SIR :- This will be handed you by Mr. J.

B. Neathery, who has my full confidence.

An officer directly from Ohief Justice Pearson will accompany him to serve a writ of habeas You are instructed to receive the officer with courtesy and endorse upon each YANCEYVILLE, July -, 1870.

Service accepted. John Kerr, named within, was arrested and is now detained in my custody by order of my commander-in-chief, W. W. Holden, Governor of North Carolina. Therefore I cannot obey the writ.

With deference, G. W. KIRK, Col. 2d Reg't N. C. Troops. EXECUTIVE DEPARTMENT, State of North Carolina, Raleigh, July 28, 1870.

DEAR SIE: - I have just learned from citizens of Buncombe that it is important to have a de-tachment of troops in Asheville on the day of the election. It is also important to have a de-tachment in Shelby, Cleaveland county. Can you spare twenty or thirty men for each of these places? If you can I would urge that you send

Col. Clarke has sent detachments to Hills-borough, Chapel Hill, and Carthage, Moore county. The object of all these detachments is States, referring to the action of Judge to preserve order and to secure a fair and free

You will have made out and forwarded to me as clearly as possible a list of all the persons under arrest, with a statement of the reasons for arrost in each case.

I have thoughtsit best mainly on account of

the pending election, to postpone the court mar-tial until the 8th of August. It will certainly be held at that time. I will notify you in time as to the necessary arrangements.

I see and hear of nothing in your action that is not deserving of commmendation. The edi-

mance Ku-Klux. Very respectfully,
W. W. Holden, Gov. and Commander in Chief. STATE OF NORTH CAROLINA, Executive Department. Raleigh, July 17, 1870.

Col. G. W. Kirk, Commander Post at Yan ceyville:
DEAR SIE:—This will be anded you by Col.
Albright and Col. Ray, in whom I have full con-

I learn that Mr. Boyd proposes to make a full confession, and then retire from public life and all connection with the Ku-Klux. I leave the matter in your hands, after a full conference with Cols. Albright and Bay, and after Boyd shall have done all that may be required of him. If his action is entirely satisfactory he may be released on his parole, and if he plays false he

can be again arrested. There are many more arrests to be made, but the next list will be furnished to the Judge Adthe next hat will be furnished to the dags and vocate. The court must assemble on Monday the 25th July. Some of the Caswell criminals are escaping. I want you to exercise a sound discretion as to such arrests in Caswell not on

the list you have, as may be necessary.

The company in Dallas, Gaston, will be under your command, W. S. McKee, Captain He will be mustered in t -morrow. It would be well to them remain in Gaston, as their votes will be die tempessee. I mile the was in the ser- Guano, Peruvian, good deal there, while he was in the ser- Guano, Peruvian, Per ton. 82 50 @85 00 let them remain in Gaston, as their votes will be

needed, and they can have control over Gaston,
Lincoln and Oatawba. Twenty or thirty of your
men should be sent to Shelby, Cleaveland county, to keep an eye on Plato Durham's friends
and prevent intimidation of voters.

Our friends in the mountain counties are very
much concerned about the loss of votes by the
absence of your men. Send as many as you can
spare to Asheville, Marshall and Burnsville, so
that they can you as a design. Some men will

The counsel for respondent also proffered done by the witness who preceded me. — to show entry on these registers of a later He (Kirk) has the reputation there of bedate, showing that they had registered as North Carolinians.

Pending the admissibility of the registers as evidence the court adjourned.

EIGHTH DAY.

SENATE CHAMBER, Feb. 4, 1871. The point under consideration at the adournment yesterday was the admissibility of the Hotel registers of the National and Yarborough Hotels was taken up.

Mr. Graham insisted upon its competency, and cited authorities to sustain him in his position. Mr. Smith insisted upon the admission of the other signatures referred to as well,

and cited authority. The argument was lengthy, participated in by the counsel on both sides. The Chief Justice decided the evidence offered inadmissible.

Mr. Manager Sparrow asked the sense of the Senate. Senate, on the ruling of the chair; yeas and nays were called by Senator Robbins,

of Rowan. The opinion of the chair was sustained by a very large vote. Isaac E. Reeves, a witness called on be-

testified: I reside in the State of Tennessee, Washonly, Kirk has been residing in the same ing some Confederate troops. boro' about the 30th of June. I do not

was in the country. He left the village I would not be certain about the dateand went into the country in the State of middle of June. He and two or three writing. I am a teller in the Treasury Department others left together for Washington, Q. Look on the poster and ment. Went into the department as associated the reported. They returned in recollect when it was printed? from then until some time in December. in your hand?

saw him when he got off the train, and I These warrants, three in number, were spoke to him. He told me he had re- and has the same head on it. tell me where he was going. When he Thomas G. McLean, a witness called in got off the train I had a conversation with behalf of the Managers being duly sworn, him in reference to where he had been. I said to him that he had got his name I reside in Graham, Alamance county. connected with the newspapers a good deal Am Register of Deeds. These papers I since he lett, and he laughingly remarked have seen before. Found them in the he had. I only talked with him about five Court House in Graham. I found them in minutes. He said he had been in North a small room just back of the Judge's seat Carolina. I don't know that he said he between the two jury rooms. There is a had been in North Carolina, but that was jury room on each side of the House, and what we were talking about. I know we this small room was between them. I mentioned his being over there. That was found them on the morning after Colonel the understanding that he had been over Kirk left Graham-after he left there last, there, but I don't remember his exact

> county since 1868. The question was asked whether he Here a long argument followed by

handwriting of Governor Holden. (After bility of evidence touching upon his (Kirk's) character. The Chief Justice decided the evidence competent to be confined to the character as would be likely to be heard of by the

respondent when he sent to employ him. Mr. Reeves testified: I know the general character and reputation he made during the recent war. I have known him since personally. His general character there was of being a desperate man-notorious-merciless. He was criminal—that is, while he was a military officer I am speaking of. He had the rep-

utation of being a violent man. His repuation was notorious. I know B. G. Bergen. He came to Jonesboro' sometime during the winter of 1869-'70. I do not know whether it was December or January. He came there as an attorney and was admitted to practice at the bar. He brought his family with him. He made no investment there of real estate, but claimed Jonesboro' as his home, and said he would make it his future home. He remained there until June sometime, and left, leaving his family. He left about the middle of June and was absent several days; returned and remained a day or two, and then left again and was absent until December. He returned in December, and then removed his family Wilmington Wholesale Prices Current from Jonesboro'. I do not know where he

now is. He is not there now. I know H. C. Yates. He is known as Clay Yetes. I don't know exactly his age, New...... 2 75 @ 3 00 but I suppose he is about 22 years of age. He is a voter. In May, I think it was, he

Adamantine. 15 @ 17 | Molasses, # gallo...

Molasses, # gallo...

Molasses, # gallo...

Adamantine. 15 @ 17 | do bbls...424@ announced himself as a candidate to represent the county of Washington in the Legislature. I supposed him to be of age from that. He resided in Washington to Laguayra... 28 @ 30 Syrup, bbls...50 @ 1 Do N O, ...90 @ 1 Naval Stores, \$1 Do N O, ...90 @ 1 Naval Sto conversation with him in July, about the Strict Mid'g 00 @ COTTON BAGGING, fice of crime is tottering and will soon fall. I expect to-morrow to receive important confessions from Mr. Boyd, Mr. Basin and other Alamana Kr. King. I do not know his place of respect to-morrow to receive important confessions from Mr. Boyd, Mr. Basin and other Alamana Kr. King. I do not know his place of respect to the first confessions from Mr. Boyd, Mr. Basin and other Alamana Kr. King. I do not know his place of respect to the first confession from Mr. Boyd, Mr. Basin and other Alamana Kr. King. I do not know his place of respect to the first confession from Mr. Boyd, Mr. Basin and other Alamana Kr. King. I do not know his place of respect to the first confession from Mr. Boyd, Mr. Basin and other Alamana Kr. King. I do not know his place of respect to the first confession from Mr. Boyd, Mr. Basin and other Alamana Kr. King. I do not know his place of respect to the first confession from Mr. Boyd, Mr. Basin and other Alamana Kr. King. King Carolina. I do not know his place of residence, but I have always understood that he lived in Washington county. I don't think I ever saw him more than twice. I have known George W. Kirk four or five years. Did not know him personally before the war. Did not know his general fore the war. Did not know his general forest fore years. Did not know his general fore the war. Did not know his general character before the war. The character I give was acquired by him during the war. I understood he was Colonel of a Fish, \$\mathcal{P}\ bb....65 \ \mathcal{O}\ 90 \\

\text{Mackerel}, \\
\text{No.1...28} \text{00} \text{030} \text{00} \\
\text{Mackerel}, \\
\text{No.1...28} \text{00} \text{030} \text{00} \\
\text{No.2...13} \text{00} \text{030} \text{00} \\
\text{No.3...00} \text{00} \text{00} \text{00} \text{00} \\
\text{Mullets...} \text{5} \text{50} \text{0} \text{9} \text{00} \\
\text{Mullets...} \text{5} \text{50} \text{0} \text{9} \text{00} \\
\text{Iniseed...} \text{1} \text{50} \text{00} \\
\text{No.1...28} \text{00} \text{030} \text{00} \\
\text{Mullets...} \text{5} \text{50} \text{00} \text{9} \text{00} \\
\text{Mullets...} \text{5} \text{50} \text{00} \text{9} \text{00} \\
\text{Provisions, } \text{3} \text{50} \text{00} \text{50} \\
\text{Pavisions, } \text{3} \text{50} \text{00} \\
\text{1} \t the militia service. Then he made a rep-

He was in the militia, after the war.—
His reputation there accorded very well with what it was during the war, while he was in the Federal service—except I do not know of any murders perpetrated. I know he was a terror to the people of middle Tennessee. I mingled with them a good deal there, while he was in the service.

FLOUE, #Bbbl., Northern Bamily... 8 00 @11 00 Superfine. 7 00 @ 7 50 Fine..... 6 00 @ 6 25 Ex. Super 7 50 @ 7 75 North CAROLINA, Family... 7 25 @ 7 50 Superfine. 6 75 @ 7 00 GLUE, #B b.l. 16 @ 20 GLUE, #B b.l. Northern Bamily... 19 @ Middlings... 14 @ Superfine. 6 75 @ 7 00 GLUE, #B b.l. 16 @ 20 GLUE, #B b.l. 16

Senator Moore submitted a question to witness, as to whether he (witness) knew, Oats. of his own knowledge, whether George W. Kirk moved his residence to North Carolina in June, 1870, or not?

Private Secretary.

SEVENTH DAY.

FERDAY, Feb. 3, 1871.

(Concluded from Saturday's issue.)

(Conclude Witness: I do not know of his moving.

pose I could not better describe it than was

ing a cruel, merciless man-I think more than that—his reputation in Western WILMINGTON MARKETS North Carolina during the war, as I understand it, was more that of a plunderer in his operations. I am not permitted to speak of instances? Chief Justice : No.

Witness: His reputation in Western North Carolina was that he was a violent. desperate and cruel man and plunderer. I can't say that I heard enough of nis character before the war to speak of it.

William M. Murdock, a witness called sworn, testified:

Questioned by Mr. Merrimon. I reside in Raleigh, and am an Insurance Agent. I knew Geo. W. Kirk in East Tennessee in 1867 and 1868. He resided in East Tennessee. I knew his general reputation. Saturday... Monday... He was a man of very violent character. During the war he committed a great many outrages. His character was very Thursday. 200 ..... 3 25..... bad-in the commission of deeds-out-Senator Graham called for vote of the rageous deeds and murders. He was generally reputed to be very cruel. He had the same reputation in Western North Carolina that he had in East Tennessee.

I have resided in Western North Carolina-lived there during the war. During the early part of the war I was in the Conhalf of the Managers, being duly sworn federate army in the western part of the week's sales are as follows: United States.

There was no fighting the one side Monday. sion. I have known George W. Kirk. I lina, except by those who had been in the knew him during the war by reputation Federal army coming in there and captur-

dell county. [This was the proceedings to Jonesboro' about two years ago. He I reside in Raleigh, and am a printer by

trade. I have charge of the Standard job (manuscript) I have seen before. It was by Colonel Kirk to be printed. I know Aaron D. Jenkins, a witness called on Tennessee. He left Jonesboro' for Wash | the hand writing of Governor Holden. behalf of the Managers, being duly sworn, ington City, so he reported, about the This paper (the manuscript) is in his hand-

Q. Look on the poster and say if you A. I think it was done in the Standard ated after that. Have been teller for at a day or two, I think. I remember Kirk office. My brother was in charge of the

Q. Is that poster a copy of the paper ernor and Auditor on the Treasurer. I got them when they started. He was absent which you previously produced and hold

A. I think it is-it is signed the same, The Clerk read the following poster.

RALLY, UNION MEN,

IN DEFENCE OF YOUR STATE Rally, Soldiers of the Old North Carolina 2d and 3d Federal Troops!

RALLY TO THE STANDARD OF YOUR OLD COMMANDER! Your old commander has been commissioned to raise at once a regiment of State Troops, to aid in enforcing the laws and in putting down disloyal midnight assassins.

The blood of your murdered countrymen, in-

humanly butchered for opinion's sake, cries from the ground for vengeance. The horrible murders and other horrible atro-cities committed by Bebel K. K. K. and "Southof justice must overtake these outlaws.

1.000 RECRUITS (witness) knew the general character of are wanted immediately, to serve six months unless sooner discharged. These troops will re-ceive the same pay, clothing and rations as United States regulars. Recruits will be received at Asheville, Marshall and Burnville, North Caro-

For further information, address or call on me at Asheville, N. C.

Colonel 21 Regiment State Troops. Mr. Merrimon: We now propose to have

in pencil at the close, "500 handbills, print do Nit. phosphate Lime \$60; Berger & Butz's Superphosphate, \$60; Wilson's Superphosphate of Lime, \$60; Star Soluble Phosphate \$55; Comat once.

Asheville, during the last summer. Saw them up. Mr. Jonnson, one of the Managers, was called, sworn, and testified: I had a copy of this, (the poster) or one very much like it. I know it was a copy of it. I saw it last summer in the campaign. I think I saw more than one copy. I saw a copy in the postoffice at Asheville, lying on the counter. I tried to get it, but was refused. I then got a friend of mine to go

down and pretend he was a good Union man, and he got one. We were to have a meeting the next day, and I got the copy to use in making a speech and carried it

with me. On motion, Court adjourned.

BEESWAY, 10 27 @ 29 ||LIME, # bbl.0 00 @ 0

BARRELS, Sp'ts T., each. (From store) 2nd hand. 200 @ 265 Rockrort 1 40 Rockland 1 50 Syrup, bbls. .50 @ 1 00 Do NO, . .90 @ 1 00 NAVAL STORES, Turpentine # 280 ha Virgin new 0 00 @ 3 25 Yellow dip.0 00 @ 3 25 Hard.....0 00 @ 2 10 Tar, # bbl.0 00 @ 1 27 Tar, in ordr 1 75 @ 1 80 Pitch, Oity 1 90 @ 1 95 Rosin, pale 4 25 @ 5 50 do No. 1 .. 2 25 @ 3 5 50 do No. 2 .. 2 10 @ .. 2 25 do No. 3 .. 0 00 @ 2 00

# gal.....00 @ 47

NAILS, # B.,
Out.....5 00 @ 5 2)
Outs, # gallon, PROVISIONS, #8 Ib., N. C. Bacon, Western Bacon

GRAIN, & bushel, Corn.....1 05 @ 1 10 POBE, Northern, # bb! 

the week. The arrivals reach some 60@70 rafts, about 40 or 50 of which have been taken for mill

REVIEW

WEEK ENDING THURSDAY. February 9, 1871.

TURPERTINE-Has been in active request from distillers since the close of our last review, and prices have improved 10 cents on all qualities The recent rise in the river has enabled parcele from above tideway to reach market more freely, on behalf of the Managers, being duly all of which has found ready sale-closing firm at \$3 25 for soft and \$2 10 for hard, \$\text{\$\text{\$\text{bbl.}}}\$ of 280 ths. The arrivals and sales for the week foot up 7,032 bbls., as follows :

Friday .... 1,117. 3 25..... 3.030. 3 25..... 2 10

FPIRITS TURPENTINE .- For this article the market has ruled steady and firm throughout the week, and quotations given in our last has been fully sustained—47 cents ? galion for Southern packages. Receipts have been meagre both by river and rail, and there is no stock re maining in factors' hands—nearly all here being in second hands, and held for foreign export The market closes firm at above figure. The

Friday ...... 40 casks at 47 cents # gallon, . . . . . . 335 Thursday .... 40 " " 47

Rosin-Since the close of our review on Thurs day last the market has continued to rule firm, and a shade advance has been obtained on nearly all grades. There has existed a brisk enquiry for the lower and finer qualities, and parcels when offered on market have found ready sale. The medium qualities have ruled quiet, and the sales effected have been at about former rates. Ali grades are in light stock, and receipts continue meagre. We quote sales as follows: Friday, 2,096 bbls at \$2 for strained: Saturday, 1,725 bbis at \$2 for strained, \$2 25 for extra No 2, and \$2 50 for low No 1; Monday, 1,369 bbls at \$2 for strained, \$2 25 for extra No 2, \$2 75, \$3, \$3 50@\$3 75 for No 1, \$4 for extra No 1, \$4 75 for Pale, and \$5 25 for extra Pale; Tuesday, 1,068 bbls at \$2 for strained, \$3 25 for No 1, and \$4 for extra Pale; Wednesday, 2,900 bbls at \$2 for strained, and 6 bbls at \$6 65 for

exirt Pale - w bb! of 230 lbs.
Tar-Has been in fair demand from shippers since our last, and quotations remain unchange ed. Receipts moderate, reaching 1,092 bbls, all of which changed hands at \$1 65 39 bbl. BARRELS - The market for empty spirit barrels continues to rule without change. No demand worthy of mention, and there is a full supply in dealers' hands. We quote as follows: Second nand country \$2@\$2 10 as they run, \$2 25@\$2 30 for selected and \$2 50@\$2 60 for new; New York, \$2 60@\$2 75 for second hand, and \$2 75@\$3 each for new according to openity. \$2 75@\$3 each for new, according to quantity

and quality.

BEEF (ATTLE-ere being trought in slewly, and there is only a small stock on market. A moderate demand exists for butchering pur-poses, and we quote on the hoof at 9 to 11 cents B ib net, as in quality.

OORN MEAL—Is in modera'e retail demand, and market fairly supplied. We quote from the granaries at \$1 10@\$1 15 @ bushel.

Cotton—Since the close of our last review the market for this article has generally ruled quiet and inactive under the adverse news from abroad. and if anything the price is a shade lower.— Buyers have not been disposed to operate to any

extent unless at a further reduction in price, which factors refuse to accept, and are holding the bulk of their stock off the market. The week's sales are only 206 bales, as follows: 2 at 121, 17 at 13, 22 at 131, 16 at 131, 32 at 131, 129 at IRON BANDS AND TIES for Cotton, of the most approved patterns, are in moderate stock, and sell from store at 5 @7 cents \$\mathre{B}\$ b, as in quantity and quality.

Foos—Are being brought in more freely, and

tity.
FERTILIZERS-The market is very well supplied at present, and demand only moderate. We quote sales from store as follows: Peruvian Guano, \$82 50 @ \$85; Pacific do. \$60@\$65; Wando Guano, \$70; Patapsoo do. \$65; Phœnix do. \$55; Navassa Guano, \$65; Wilcox, Gibbs & Oo's Manipulated do. \$70; E. F. Coe's the manuscript read.
The Clerk then read the manuscript produced by the witness, which was in the same words as the poster with the addition, in pencil at the close, "500 handbills, print the same words as the poster with the addition, in pencil at the close, "500 handbills, print the same words as the poster with the addition, in pencil at the close, "500 handbills, print the same words as the poster with the addition, in pencil at the close, "500 handbills, print the same words as the poster with the addition, in pencil at the close, "500 handbills, print the same words as the poster with the addition, in pencil at the close, "500 handbills, print the same words as the poster with the addition, in pencil at the close, "500 handbills, print the same words as the poster with the addition, in pencil at the close, "500 handbills, print the same words as the poster with the addition, in pencil at the close, "500 handbills, print the same words as the poster with the addition, in pencil at the close, "500 handbills, print the same words as the poster with the addition, in pencil at the close, "500 handbills, print the same words as the poster with the addition, in pencil at the close, "500 handbills, print the same words as the poster with the addition, in pencil at the close, "500 handbills, print the same words as the poster with the addition, in pencil at the close, "500 handbills, print the same words as the poster with the addition, in pencil at the close, "500 handbills, print the same words as the poster with the addition, in pencil at the close, "500 handbills, print the same words as the poster with the addition, in pencil at the close, "500 handbills, print the same words as the poster with the addition, in pencil at the close, "500 handbills, print the same words as the poster with the addition, in pencil at the close, "500 handbills, print the same words as the poster with the addition, in pencil at the close, "500 handbills, print the same words as the poster with the addition, in pencil at the close,

that he had seen the poster just read at pound Acid Phosphate of Lime \$48; Land, Plas-Acheville, during the lest support Saw ter \$18—all \$2 ton of 2,000 fbs. FLOUR—There is no material change to report in this article for the week. The supply of all brands continues good, and we report only a light jobbing demand. Sales have taken place from store at figures given in table, according to quantity and quality.

Figh—Mullets are in full supply, and demand

limited. The market rules dull, and we quote from store at \$4 to \$4 50 for pine bbls.

Grain—The Corn market has ruled with more firmness, and prices are a shade better. Only one cargo of 3,500 bushels received and sold from vessel at 97½ cents # bushel. The stock in dealers' hands has become somewhat reduced, owing to the light receipts, still it may be considered fully fair, and adequate to meet present wants. From store we quote as selling in the small way at \$1 05 without, and \$1 10 \$\mathbb{B}\$ bushel, sacks included.——OATS—No late receipts, but the market is moderately supplied. Belling in the email way from store at 70@80 cents # bushel. email way from store at 70@80 cents \$\mathbb{P}\$ bushel.

—PEAS—Are scarce and wanted. None of consequence brought in for some weeks, and high prices could be obtained. We quote Cew at \$1 25@\$1 30 \$\mathbb{P}\$ bushel.—RICE—For clean there is merely a retail enquiry, which the stock in store is about sufficient to meet. We quote Carolina at 7\frac{1}{2}\$ to \$\frac{1}{2}\$ cents \$\mathbb{P}\$ b. Rough nominal at \$1 30 to \$1 35 \$\mathbb{P}\$ bushel.—WHEAT—Is wanted, and would readily command full prices.

HAY—Receipts for a week or two past have HAY-Receipts for a week or two past have been very small, but we report a fair stock on market, and demand light. We quote cargo price at \$1 20@\$1 30 for Northern, and \$1 35@\$1 40 \$1 100 lbs. for Eastern, as in quality.

Lime—Supply moderate, and demand merely in the small way. We quote from store at \$1 40 for Rockport, and \$1 50 # cask for Rockland.

Lumber -Is without change. Stock of all descriptions is good, and sales are being made from the city mills as follows: Pine Steam Samed Lumber-Cargo rates-per 1,000 feet. Ordinary assortment Cuba cargoes, \$18 00 @ 19 00 Hayti cargoes, 18 00 @ 00 

market rules steady at former rates. Very few have been brought in for the week, and we quete only small sales as follows: Ordinary \$1 80@\$1 90, prime \$1 90@\$2 05, extra \$2 10@\$2 20, and fancy \$2 25@\$2 30 \$2 bushel.
POTATOES - Irish are in full stock, and demand good. Sales are making from store at \$3 75@ \$4 for eating, and \$4@\$5 \$\text{\texi{\text{\text{\texi{\texi{\texi{\texi{\texi{\texi{\te\tinte\texi{\texi{\texi{\texi{\texi{\texi}\tiltit{\text{\texi{\te POULTRY—Is coming in quite freely, and market fairly supplied. We quote as follows: Live fowls 30@35 cents, dressed do. 35@45 cents; live turkeys \$1 25@\$1 50 each, and dressed do.

FEA NUTS-Are in moderate enquiry, and the

20@25 cents 2 lb.
Provisions—The Bacon market is without material change as regards prices. North Caro-lina is being brought in moderately, and there is a fair stock at present in the hands of dealers, while only a light demand exists. We quote while only a light demand exists. We quote sales during the week at 14 cents for shoulders, 15@16 cents for hog round and 16@18 \$\vec{v}\$ the for hams, as in quality. Western continues to be in fair stock, and demand mainly for small lots. We quote sales from store as follows: Smoked, 12\(\frac{1}{2}\)@13\(\frac{1}{2}\) cents for shoulders, 14\(\frac{1}{2}\) dents for gides, and 16\(\vec{w}\)20 cents for hams; dry salted 11\(\vec{w}\)11\(\vec{w}\)12\(\vec{ hams;—dry salted, 11@11½ cents for shoulders, and 13@14 cents for sides.—LARD—Only a retail demand, and market fairly supplied with Northern. We quote from store at 13 to 18 cents th, as in quality. ——PORK-Is in light enquiry tor Northern, and supply moderate. store at quotations in table. Fresh sells at 9 to 11

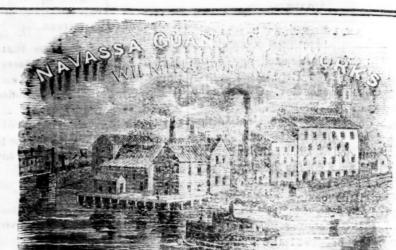
cents # lb.

SALT—Is in fully fair supply, and demand moderate. Sells in small lots from wharf and store at \$1 40@\$1 45 # sack for American. Received coastwist for the week only 500 sacks, which sold at \$1.25. which sold at \$1 35.
SHINGLES.—Only a light enquiry for building purposes, and the market rules very dull. We quote at \$2 25@\$2 75 for Common, and \$4 50@\$5 50 PM. for Contract. TIMBER. - The recent rise in the river has enabled parcels to reach market more freely for

purposes at figures quoted in table, as in quality. wood—Is coming in moderately, and is in demand. We quote by the boat load at \$2 60@\$3 tor pine, \$2 75@\$3 25 for ash, and \$3 25@\$3 50 water Wheel, and every description of Wood working Machinery.

\*\*Previous Agricultural Engines a specialty.\*\*

\*\*Reputation of the control of t FREIGHTS—Are unchanged in price to Coastwise ports. Bather more produce offering shipment for the week, which has been taken by the Lists.



Manufacturers of the Patent Ammoniated

SOLUBLE NAVASSA PHOSPHATE

A COMPLETE MANURE, Rich in Ammoniacal and Alkaline Salts and Soluble Phosphoric Acid.

numerous certificates. It has given entire satisfaction on Corn, Cotton, Tobacco, and all small grain

A STANDARD FERTILIZER, the good qualities of which are attested by

root crops and vegetables, to which it has been applied. PRICE \$55 PER TON, CASH, OR \$65 ON CREDIT.

DONALD MAGRAE, Sec'y and Treas'r. R. R. BRIDGERS, Pres't. C. L. GRAFFLIN, Sup't.

Rates of Freight. rude Turpentine per bbl. \$0 00 @ \$0 50 \$ 00 @ \$ 6 Tar,.... Spirits Turpentine, 00 @ TO PHILADELPHIA. 50 0 00 60 Orude Turpentine per bbl. TO BALTIMORS. Orade Turpentine per bb!. 00 @ 00 @ 00 @

Rosin,.....per bale Pea Nacs,....per bush.

Tar,.... Spirits Turpentine, "

Pea Nuts,.....per bush.

Sold by all druggiers

Orude Turpentine per bbl. 0 00 @ 3 00

Lumber..... To Boston.

Ir you feel dull, drowsy, debilitated, hav for quent headache, mouth 'astes had, poor a tite and tongue coated, you are suffering Torpid Liver or "Billoneness" and nothing will cure you so speedily and permanently as Dr. Pierce's Alt. Ext. or Golden Medical Discovery

E. F. COE's the market is fairly supplied. We quote sales at 16 to 18 cents ## dozen, according to quantity.

BONE MANURE.

-0-BEING MADE OF THE BEST MATERIALS, and in the most improved manner, it is recom mended to the public as superior to any other

WARRANTED GENUIVE.

100 TONS

of the above well known and valuable Fertilizer momentarily expected.

Planters wanting large lots should send their orders at once.
O. G. PARSLEY & CO.,



STEINFELD'S FRENCH

Cognac Bitters,

Paris Exhibition 1867.

Purify the blood and

strengthen the system, eradicating the effect of dissipation, maintain the human frame in condition of healthfulness, dispel the Blues and all mental distempers, and relieve those whose sedentary habits lay them open to depression. They prevent and cure Bilious and other Fevers, Fever and Ague. Chills, Diarrhoea, Dysentery, Dyspepsia, Sea-Sickness, Colic, Cholera, Cholera Morbus, and every complaint incidental to diet or atmosphere. Ladies will find them a sovereign boon, as they eradicate all traces of Debility, Nervousness, Inertness, and Diseases peculiar to the sex.

nials can be seen at the office of M. JACOBSON, Sole Proprietor, 64 & 66 Water Street, N. Y. H. BRUNHILD, Wilmington, N C., General

Thousands of Testimo-

Agent for the State of North Carolina.
feb 5 111 - 1 1 h George Page & Co., (NO. 5 N. SORROEDER ST., BALTIMORE

Manufacturers of

PORTABLE AND STATIONARY STEAM ENGINES & BOILERS, MM. KNABE & CO. PATENT IMPROVED, PORTABLE Circular Saw Mills, Gang, Mulay and Sash Saw Mills. GRIST MILLS, TIMBER WHEELS, SHINGLE

sept 17



110-3taw&w-tf

A Providential Remedy. The Mongoose, bitten by a poisonous serpent, seeks a certain plant, eats of it and recovers. In like manner thousands of European dyspeptics, and victims of liver complaint, disorders of the bowels, debility, dropsy, rheumatism, &c., flock to the Seltzer Spring in Germany and are cured by itsalubrious waters. We have this spring in al abitary perfection, multiplied ad infinuum this c untry, in the form of

TARRANT'S SELTZER APERIENT is the Spa made portable and available for it e of the million. The million use it. It is th great honsenold medicine of the land, at one delicious, refreshing and unsqualed as a corne ive and alterative. SOLD BY ALL DRUGGISTS.

Travelers are always liable to andden and inventery and Cholera Morbus, and these curring when absent from home, are ver-pleasant. The PAIN KILLER may always blied upon in such cases. As soon as y u the symptoms, take one teaspoonful in a g new misk and molasses and a gill of hot we stir well together and drink hot. Repeat dose every hour until relieved. If the paint severe, bathe the bowels and back with the dicine clear.
In cases of Asthma and Phthisic, take a

spoonful in a gill of hot water sweetened with molasses; also bathe the throat at stomach faithfully with the medicine, clear.

Dr. Sweet says it takes out the soreness in cases of bonesetting faster than anything he ever applied. Fishermen so often exposed to hurts by having their skin plerced with hooks, and fins of fish, can be relieved by bathing with the Pain Killer

as soon as the accident occurs; in this way the anguish is soon abated; bathe as often as once in five minutes, say three or four times, and you will seldom have any trouble.

The bites and scratches of dogs and cats are soon cured by bathing with the Pain Killer clear,

THE BRIDAL CHAMBER.

Essays for Young Men, on great SOCIAL EVILS and ABUSES, which interfere with MAR-

BIAGE—with sure means of relief for the Erring and Unfortunate, diseased and debilitated. Sent free of charge, in scaled envelopes. Address HOWARD ASSOCIATION, No. 28. Ninth st., Philadelphia, Pa.

BATCHELOR'S HAIR DYE. This superb Hair Dye is the best in the World—Perfectly Harmless, Reliable and Instantaneous. No disappointment. No Bidiculous Tints, or Unpleasant Odor. The genuine W. A. Batchelor's Hair Dye produces IMMEDIATELY a splendid Black or Natural Brown. Does not Stain the Skin, but leaves the Hair Olean, Soft and Beautiful. The only 85fe and Perfect Dye. Rold by ful. The only Safe and Perfect Dye. Sold by all Druggists. Factory 16 Bond Street, New

99-d-eod&wlych

NOTICE. ALL PERSONS HOLDING CLAIMS AGAINST the Estate of J. M. Mont, deceased, are requested to present the same within 30 days to Mr. J. K. Morrisey, Probate Judge at Clinton, N. C., as final settlement will then be made.

B. B. MONK,

Administrator. 114-d6t-w4t SIXTY-FIVE FIRST PRIZE MEDALS



THE GREAT SOUTH ern Piano Manufactory Wm. Knabe & Co., man:
ufacturers of Grand,
Square and Upright Piano Fortes, Baltimore,
Md. These Instruments been before; he public for nearly Thirty Years, and upon their excellence alone attained an unpurchased pre-eminence, which pronounces

hem unequalled.

Their Tone combines great power, sweetness and fine singing quality, as well as great purity of Intonation and Sweetness throughout the entire scale.

Their Touch is pliant and elastic, and entire free from the stiffness found in so many Pianos.

In Workmanship They are unequalled, using none but the very best FEASONED MATERIAL, the targe capital employed in our business enabling us to keep continually an immense stock of lumber, &c., on All our Square Pianos have our New Improved Overstrung Scale and the Agraffe Treble. We would call special attention to our law

eran's, patented August 14, 1866, which bring ne Pisno nearer perfection than has yet been atever Piano fully warranted for five years. We nave made arrangements for the Sole Wholesake agence for the most celebrated Parlor Organs and Melodeons, which we offer, wholesale and

> Baltimore, Md. 302—deod-wem-c EXCHANGE HOTEL,

A. A. HARBIN......PROPRIETOR.

Star copy 302-deod&wly-ch jan 14

HILLSBORO' STREET, RALEIGH, N

so-called "moderate Republican" per- tional day of thanksgiving and prayer "watch dog of the Treasury," in view of is dead, and prayer that it may stay so his recent demonstrations against Little- It has exhibited more hatred of the South field. A joint reference is doubtless in- ern people and less regard for the true intended to that watch, of which he became terests of the country than any Congress the recipient, in 1869, for the simple per- since the formation of the Government. formance of sworn duty, and to the remarkably vigilant canine guardian, who only barked after the thiel had escaped !

BECAUSE the people of the South will fien. Grant, the latter thinks, according war; that the lives of Union men are un safe, and that a regular organization exists

friends of that gentleman will appreciate be two hundred millions of francs; (3) CONIGLAND and Hon. W. N. H. SMITH to one of the French Provinces to be garof the case and its great importance de- ment of the war indemnity.

position, legal and social.

several States. Recent elections and the increased vote of States under the new apportionment are both included in the

struction-of the eternal negro-of politi- Congress than in any other way.

Tribune, to which we have alluded:

the elections of 1872 copy those of 1870, a

Rep. States. Electors. | Dem. States. 4 Delaware 8 | North Careling West Virgini Michigan.....10 Minnesota.... Total.

ber of electoral votes, as a lower would in-

over to put the State against us in '71. company, and come back in season for '72

tial contest, as she probably will in '72. Oregon went Democratic in 1870 by far smaller majority than at her State clection of 'CS; yet, when she came to vote for President, she gave Seymour but 164 majority over Grant; while California (also Democratic in her preceding State election) went for Grant by 514 majority.

very doubtful for 1872. all be recovered upon the full vote always cast for President. So many North Carolinia, especially if the Democracy turn

away two of the three Representatives in tion of the Samnites.

States yet to hear from.

An exchange suggests that the 4th of A . RATHER enthusiastic exchange, of the March next should be observed as a nadubs Lieut. Gov. Caldwell the thanksgiving that the forty-first Congres

The Terms of Peace. JULES FAVRE, the accredited Commissioner on the part of the Provisional Government of France, and Count Von Bis-MARCK, representing Prussia, have had a formal interview in reference to the capi-Among the counsel retained by Gov- tion, and as rendering any fortified fronnow pending, we notice the name of this matum. M. FAVRE finally yielded, and fine, he should not stop short of the entire distinguished lawyer. Mr. Contgland is Paris capitulated upon the following terms, destruction of French power. an eminent attorney, a true and noble which the Republic accepted, subject to gentleman, and a firm and unflinching ratification by the National Assembly: (1) the present day, if neither humanity nor Democrat. Covernor Holden, in the con- the annexation of Aleaco and German Lor- civilization, nor the safety of the neutral fidence he has reposed in Mr. Conigland, raine to Prussia; (2) the payment of a powers would permit it, then he should has not underestimated his abilities nor moneyed indemnity of one thousand mil- take the other alternative, and prove to his zeal and devotion to his daty. The lions of francs-it should more properly the sense of professional duty which ac- France to surrender a certain number of should show the world that Prussia does tuated him in accepting the defense of the her war vessels; (4) the forts around Paris not make war for the barbarous purpose of Governor. We are heartily glad, for the to be garrisoned by German troops; (5) cause of justice and for the sake of history, the armies of France to be disbanded, and that Governor Holden has recured Mr. the National Guard to garrison Paris; (6) defend him in this trial. The character risoned by German troops to secure pay- and has offered indemnity. This should passed since the organization of the Court

trammelled both as to their National As- predict, will prove that Prussia is comsembly, and in the choice of their future mitting a political blunder in demanding was listened to with the closest attention government. These may not be the pre-Already the next Presidential election cise, but they are the substantial terms. do not arouse all France to further re- to attempt a synopsis of his great speech, has begun to excite much interest. Not They may, and probably in some minor respects, will be modified. At any rate cussed, but calculations are being made as the war may be regarded as over, and the ceive how dangerous she is becoming to wrongs eloquently portrayed. The evito the probable electoral votes of the propositions thus agreed upon will, to all them all. She is laying the foundations dence for the prosecution was then regueffect, be the final basis of the peace.

The Test-Oath, The New York Tribune has an article test oath by both Houses of Congress without allies as she does now; and then ing their influence to suspend the writ of The New Lork Provide has an arrive one step towards cancelling political pro- will be seen once more the worthlessness Habeas Corpus, were read and created horses slipped, panting and steaming, and that he (Lassiter) would take evidence in to kiok another horse. If a man builds ing every vote which is the least doubtful, scriptions. When we consider the past of the conquests of force. Just as NA- quite a sensation. His letters to Kirk looking, with their tails tied up to keep the matter. history of the present Congress we see in Poleon's conquests proved a source of and others instructing them as to their following States, certainly this simple act of tardy and incomplete ruin and defeat in 1812, when all Germany military movements were certainly rare adjective for all land bordering the Missis. the committee, upon which it based its any damage caused by smoke must be very doubtful, if not Democratic, are justice the change going on in public sen- rose against him, so will sullen and hostile productions. The muster rolls of Kirk's sippi at this season of the year. Memnecessary to make up this meagre majority: timent. Such a concession could never Alsage and Lorraine prove to Prussia regiment were produced, from which it phis, somebody sarcastically tells us, is a of Mr. Lassiter to Mr. Edwards. New Jersey, Pennsylvania, Florida, Texas, have been wrung from the bitter partisans when the second act of this tragedy was proven that a large number, in fact a redeemed mud-puddle—a bit of terra firma who built the chimneys.

A tradesman sold a man a lamp which recording to the large number, in fact a recording to the large number nu Ohio and Afkansas, having a total of sixty- who control Congress but from a whole- begins. some fear of public opinion. As much as The National Democratic party have they hate the people of the South they only to put forward proper candidates upon love position and power more. The effect a proper platform, and their victory is as. of recent Northern elections is more plainly and forcibly shown in this action of

The bill, which passed both Houses of Congress, provides that any person not gift enterprises-of railroad subsidies-of rendered ineligible by the Fourteenth Presidential nephews. They want recon- Amendment, who may be elected or apciliation-low tariffs-specie payments- pointed to any office of honor or trust uneconomy and honesty in the administration | der the United States, and shall not by reason of participation in the "rebellion," be able to take the oath of office, commonalone can save the Republic and restore ly called the "iron-clad oath," may, in lieu of that, take the oath prescribed for The following are the calculations of the those who have received the Congressional absolution by an act removing their disa-

The effect of this bill will be to render Democrat would be chosen President. But all persons in the South eligible to federal that is a miscalculation, as the following office, except those who, previous to the war, held official positions and afterwards participated in the war, or gave aid and encouragement thereto. This class of persons are also rendered eligible by an act of Congress removing their disabilities.

wounds of the war. hasten the day.

army of Postumius was surrounded by the short space of fifteen minutes. the Samnites in the Candine valley, Pon- The whole time of the Court to-day was tius, the leader of the Samnites, em- consumed in the discussion as to whether barrassed by his victory, sent for his sage tested the seat of Lassiter, from Granville, father and asked his advice. The latter could qualify as one of the Court. The Virginia, Indiana, and Alabama, were proposed two courses. One was to release point raised really seemed too absurd for barely carried Democratic in '70, and may all the army honorably and thus secure the debate, but was most earnestly insisted friendship of the Roman people. The other, to put them all to death and thus ruled the objection and Mr. Edwards was olden out of office, as they are cripple the Roman power. Pontius re- duly qualified. jected both of these alternatives and com-Of the States we have placed in the Republican column, only Pennsylvania, Florida and Arkansas, are at all questionable, Arkansas gave some some 2,000 Republicance of the Roman people of

True or false, this legend might well of North Carolina against W. W. Holden, sylvania was close on the popularyote last October, but if a fair allowance is made for the districts distracted by personal feuds, there is a Republican majority.—Florida is disputed, but Republican by a formal for the majority of the made by Mr. Sparrow, the talent of the majority of the made by Mr. Sparrow, the talent of the might will be made by Mr. Sparrow, the talent of the might will be made by Mr. Sparrow, the talent of the might will be made by Mr. Sparrow, the talent of the might will be made by Mr. Sparrow, the talent of the might will be made by Mr. Sparrow, the talent of the might will be made by Mr. Sparrow, the talent of the might will be made by Mr. Sparrow, the talent of the will be proceeded with according to the same is unded him, be were left.

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After remain

THE WILMINGTON JOURNAL C. C. Bowen, the carpet bag Congress- even the most prejudiced must see that the mating the Senate, and their wish to be flicting after twenty-five years of war.

vation, and not finding a single man capaarmies, will submit for the present to these for if justice is done him, he will never outrageous conditions. But a peace thus secured can be nothing but a truce; and if Prussia believes she is gaining an accesof Alsase and Lorraine, she will find on the contrary that she has only incorporaher territory. Were Bismarck truly wise further debate or loss of time. he would adopt one of the two alternations tulation of Paris. The great question was continue the conquest of France and its been the stumbling block from the first. of the Loire, and settle the bulk of the these States the condition of affairs is It is against dismemberment, which the German armies and as many more Gerthan at any time during the French have for months been contending man emigrants as he could raise, as milifor almost without hope. It is this which tary colonists in the conquered territory; has led to the intense struggle which has trusting that these forces, backed by the just ended. And this the struggle has whole power of the German empire would South untenable for any but secession- determined. M. FAVRE readily agreed to make it a hopsless dream for the rest of the money indemnity, but opposed any France over to throw off the yoke or ob territorial loss. The Count BISMARCK in- tain revenge. Instead of demanding ten sisted upon this as essential to self-protec. thousand millions he should seize and confiscate everything beyond the bare subsisernor Holden, in the Impeachment trial tier useless. This was placed as the ulti- tance of the conquered population. In

But if this alternative is impossible at the world the sincerity of his master's declaration at the beginning of the war. He tearing violently millions of population from a country to which they are attached to force upon them a yoke that they abhor. France has confessed her defeat satisfy not only Prussian pride, but Prusmanded the services of mon of ability and The people of France are to be left un- sian interest; and History, we confidently by Col. Sparrow, in behalf of the Manamore. Even if her ungenerous extortion by a crowded house. It would be unjust sistance now, it is exciting the fears and but suffice it to say that the people of the jealousy of all the neutral powers who per- State were well represented, and their of a general European coalition against larly commenced, which consisted entirely her. When France draws the sword again, of Public Documents, Proclamations, &c. as she is certain to do when she recovers The letters of Holden to Grant, and to We recognize in the abolition of the her strength, she will not stand alone and our Senators and Representatives, request-

The Convention Bill, as agreed upon by the Committee of Conference, and as it has passed the House and will certainly pass the Senate, provides for an election ing to law. on Thursday, the 13th of APRIL. On the 4th of May, the Legislature is to compare vene the delegates elect, on the FOURTH Monday in May, being the 22d of the Price voted with Mr. Moore, that his de-

# OUR RALEIGH LETTER.

Impeachment\_Amending an Article\_Col, the Court\_The Issue Joined\_"May Heaven Defend the Right"\_The Spirit of the Senate\_The Col. Allen\_Maj MeClammy ... French

RALEIGH, N. C., Feb. 1st, 1871. Dear Journal :- The High Court of Impeachment, now in session, has attracted to nors Bragg and Graham. The prosecution This is a long step towards reconcilia- this city quite a number of visitors, who is well prepared, and will push on the trial tion and good feeling. It is the harbin- most anxiously watch its proceedings, promptly and zealously. ger of better things. Even this act, in- which of course must excite an unusual complete as it is, will heal many of the degree of interest in the minds of all the citizens of the State. The Court convened Senators are kept at work, with but little furniture merchant, liver still disordered, debarred Mr. Lassiter of the benefit of their masters. But when one man applied After the passage of this bill we cannot on Monday, the 30th ult., when the Mana- time for rest. believe that a majority of both Houses can gers obtained leave to amend the VIIIth be forced by party demands or Executive Article, by the insertion of the name of Waddell will be removed and he will be 22 blandishments to uproot reconstruction. "John B. Neathery" instead of "R. G. allowed to take his seat in the 42nd Con-We do not believe that this act of justice Berry," as the paymaster of Kirk's troops. gress. will be followed by one more outrageous This amendment, though unimportant and had already passed the Senate, allowing and violent than all the others which have trifling and in no way injuring the de- the Wilmington, Charlotte and Rutherble ratio of representation under the new disgraced the legislation of Congress since fence, was yet seized as an excuse by the ford Railroad Company to draw from the census; a higher would reduce the num- the war. In the repeal of the test-oath Respondent to ask for further time to pre- Treasury the five hundred thousand dolwe have the death-knell of political pro- pare the answer, and the Senate, anxious lars of the first mortgage bonds of the scription. The counter revolution has set to extend every courtesy and favor to the the Treasury as collateral security, which Missoari was not carried by the Demo- in. Those who attempt to oppose its re- accused, and to avoid any appearance will enable the Company to at once comerats in 1870, but by the Schurz and Gratz sistless power will be swept away. Radi- whatever of forcing a hurried trial, very plete the Road to Charlotte. This is a calism has abandoned its foremost and considerately postponed the trial until to— it is due mainly to the zealous efforts of trymen! Besides these familiar person— evidence would be read. strongest position. Its retreat will now day, at which time the Counsel for the de- your worthy Representatives, Messrs. We trust they will get sick of their strange be hasty and disorderly. Its early and fence filed the amended answer of about a McClammy and Ashe. final overthrow is at hand. May Heaven a dozen lines, denying in toto the Article The House has concurred in the amendas amended. The Managers, eager to ments reported by the Committee of Con-France and Prussia\_The Conditions o instead of asking for two days (as did the The Roman legends relate that when the to the answer as amended, only required the leader of the Robeson county outlaws,

Col. Edwards, who has successfully contice, after a long and able argument, over-

man from Charleston, S. C., has three real object of the war is conquest and dis- fair and just, it may be well to state, that wives now living, and there are thirty-five memberment; such a dismemberment as this body has passed a bill to pay the permemberment; such a dismemberment as all Europe combined did not dream of inall Europe combined did not dream of inall Europe combined did not dream of inall Europe combined and mileage of the witnesses for the accused, so that he may avail himself of mempiris The young giant any and all benefits the law allows to the It may be that France, despairing of sal- humblest. The friends and enemies of Mr. Holden may rest assured that he will have full justice done him, the one could ble of rallying her people or leading her not ask less, nor the other demand more,

again hold office in this State. and the House is progressing quite rapidsion of power by the forcible annexation House and returned to the Senate, with a ference, of the House branch of which She is only organizing a new Poland in feet the bill, so that it may pass without

last week to sell the "White Oak Swamp" of the Samnite sage. He would boldly lands in Jones and Onslow at 15 cents per acre, but a substitute was adopted, introas to the cession of territory. This has permanent occupation, at least to the line duced by Col. Allen, of Duplin, giving alternate sections of the land to the Planters Railroad Company."

Your Senator, Major McClammy, after an absence of a few days, returned to his seat on Monday last. In order to show how his merits are appreciated, it is proper to state that on yesterday he was ap-Finance and Internal Improvements. Gizzard French made his appearance veserday for the first time since the adjourn-

be better pleased if he had never returned.

OUR RALEIGH LETTER.

Impeachment Bill\_Holden to Grant and Holden to Kirk An Important Point Developed George Price Votes against Chief Justice Pearson on a point at Law\_Waddell's Disabilities to be Removed .- The Bill for Relief of W. C. & R. R. R. Election on Convention 13th April\_\$5,000 Reward for Henry Berry Lowrey, &c., &c., &c.

RALEIGH, N. C., Feb. 3rd, 1870. Dear Journal: -Yesterday was decidedly the most interesting day, which has yet contended that these troops were only the regular militia called into service accord-

The Counsel for the Respondent raised objection to the admissibility of several documents offered in evidence, but the the vote for, and against, the Convention, Chief Justice over-ruled the objection in and if a majority be found in favor of the every case, from one of whose decisions. Convention, then the Gove nor is to con- Senator Moore, of Craven, appealed to the Senate, but of course the Senate sustained the Chief Justice, though Senator cision was erroneous. Comment is unnecessary. Nearly the whole time of the Court, to-day, was consumed by the defence in objecting to the admitting in evidence the habeas corpus of A. G. Moore and others, but after quite a waste of time the objections were set aside. The Chief Justice has given very general satisfaction in his rulings, and is disposed to have

justice rendered. The examination of the victims of Kirk's brutalities will commence on Monday, as the reading of the documentary evidence will occupy a day longer. The examination is conducted by Judge Merrimon, in a most searching and able manner. The closing argument will be made by Gover-

Reliable intelligence has been received here that the disabilities of Hon. A. M.

Company, which had been deposited in

ference on the Convention Bill, which oravoid a useless waste of time and money, ders the election on the 13th day of April. The House has passed a resolution authodefence) in which to file their replication rizing a reward of \$5,000 for the arrest of

and \$1,000 for each member of the band. star actor, and who is to visit your city next week.

HENRY BERRY LOWERY AGAIN AT WORK. - | Eve stocking, as large as life. upon by the deferce, but the Chief Jus- We learn from the Robesonian that this Memphis is a great game market, veni- Mr. Worth stated that, in his opinion,

For the Journal. WESTERN CORRESPONDENCE.

BY POPINACK.

the extreme southwest corner of Tennes-The Legislative business of the Senate see, is the modern Memphis of the Occi- group table system, there are some hundental hemisphere, which, however far dred of tables, each large enough for ten Mesers. Adams, Albright, Allen, Battle, ly. The Convention Bill has passed the from approximating the splendor of the or a dozen persons, covered with a white Beasley, Bellamy, Brogden, Brown, Cook, few amendments. A Committee of Con- old Egyptian city, is making colossal with plates, knives and forks. Each guest ming, Gilmer, Graham, of Alamanoe, Hawstrides towards a front rank in population is served, on small dishes, to whatever on kins, Hyman, Jones, King, Ledbetter, your talented Representative, Capt. Ashe and importance. As the recipient of the his bill of fare, he prefers. The waiters Love, McClammy, McCotter, Moore, Price, ted with herself an element of weakness.— is Chairman, has been appointed to per-'Father of Waters," and as the centre of phis hearting here and glimpse of Mem- an, Skinner, Speed, Troy, Whiteside and A Bill was in roduced into the Senate a net-work of railroads, its sources of sive and profuse toilettes got an inkling Those wealth and consequent advancement are of the way the money goes. assured. It already boasts its eighty-five thousand inhabitants, and through its 'Appeal," its "Avalanche," its "Sun," and that fiery fulmination, the "Tennessee Baptist," edited by the renowned J. R. Graves, exerts no mean influence in the world of letters. A dainty magazine was edited here for a year or two by Dr. S. H. pointed on two additional Committees- Ford and his talented authoress-wife. We were struck by the number of foreign faces we saw on the street, especially the ment, but no doubt his constituents would preponderating German element. There are many Jews and Yankees; and moneymaking seems to be a prevailing mania, with which everybody is so absorbed as to the Senate did not concur in the House Mr. Robbins, of Davidson, had listened find time for little else. Matrimony, we amendments and asked the appointment attentively to the discussion, and must say are told, is altogether a speculation, in which the changes rung on dollars is the only sound that takes the ear. As to the up, and Mr. L. C. Edwards, the contesseat. He should therefore vote against old "Favor System," the Borrow and tant of the seat of Mr. Lassiter, from Gran Mr. Edwards. Lend style, it is utterly out of vogue here. ville, took the floor and argued at length and forcibly the grounds upon which he that either Messrs. Bradshaw or Barnett If your neighbor lends you his oxen he ex- contested said seat. pects you to pay him ten dollars a day for Mr. Lassiter replied to Mr. Edwards, thought their case should go back to their them; and if a lady friend invites you to and in support of his claims to the seat district. dinner you must show yourself apprecia- which he now holds, and concluded his tive by sending her a complimentary ticket to the opera or theatre. Social life is very Mr. Whitesides explained the grounds we barely touch on the subject now, con- ceive the testimony relative to Kittrell sidering it worthy of a separate letter. The site of Memphis is for the most

part level; its streets are very wide, and lative to the Kittrell precinct vote be read. handsomely built up. On Main, Second and Princess streets the buildings are on this precinct, that he was prepared to show a grand scale, many of the business houses illegal votes to have been cast there, but lights, handsome pictures, and rare plants take testimony in the matter. in huge earthenware vases. We saw Memceivable. the sky overcast with those yel. reasons he gave, to submit rebutting teslowish, dull-colored clouds that invariably timony. forbode rain, snow or sleet. On this octhrough which the city looked as if whitethem clean, like belles in curl-papers the night before the party. "Muddy" is the less looks very different. When we were counted. ty gaiters, which did not begin to stand a counting of said vote. under sleety incrustations, and we were relative to the Kittrell vote. of almost tropic delicacy of constitution,

left in Carolina.

the stiffness of a rich man's patronizing Commissioners. style effervesced in smiles, bows and an Mr. Jones entirely accorded with Mr. utter devotion to our wants. Funniest of Graham. all, our editorial friend, that serene ego- Mr. King, one of the Committee, stated tist, who in fancy could annihilate the Tri- that he thought the notice of Mr. Lassiter bune, and make Mark Pomeroy shake in was sufficient, and that the evidence should his shoes, we found slightly metamor- be received. phosed from a long conflict with chill and fever, and reduced to the capacity of a hearing this evidence, because Mr. Lassiregarding the elucidation of European pol- do. ities! Ah, what a fall was this my coun- Mr. Speed hoped that portion of the worldly wise, penetrating, sarcastic piece vailed.

way, Mr. Editor. And there in the win- to the Kittrell box. harnessed to his car-full of toys; while counted. The pleasure seekers of this city have on the street beside it, a bandy-legged been regaled this week by a fine theatrical Dutchman with a face as large and round with the evidence before him, to the retroupe, of which McKean Buchanan is the as a pewter platter, small twinkling eyes, coption of the vote of Kittrell's Springs. red cheeks, and the stump of a pipe in his Mr. Jones renewed his substitute to seat skewed-up mouth, looked as if he had Messrs. Edwards and Barnet.

bleak the atmosphere out doors, the ele- my, Merrimon, Morehead, Murphy, Speed, vast and beautiful rooms, connected by den, Dargan, Eppes, Flythe, Hawkins, arched-pillared entrances, is the most King, Ledbetter, Lehman, Love, McCotter, The ceiling is finted asky blue, and among Robbins, of Rowan, and Skinner. the snow-white wreathen entabletures that On the east bank of the Mississippi, in on roses. Instead of the small familycloth and a set of castors, and salt cellar, Crowell, Currie, Dargan, Eppes, Flem-

# From the Sentinel CONTESTED ELECTIONS.

EVENING SESSION.

Monday, Jan. 30, 1871. The contested election case was taken up, and pending consideration, the hour for the consideration of

THE SPECIAL ORDER was announced, being the convention bill, Senate would have always to devote time as amended by the House. On motion of Mr. Graham of Orange, out of such. Should vote for Edwards.

The contested election was again taken him of the justness of his claim to the

remarks by asking that the testimony in regard to the Kittrell precinct be read.

different here from that in Carolina, but upon which the committee refused to reprecinct vote.

Mr. Edwards statated that, in regard to

Mr. Lassiter stated that he had com-

there not a child was to be seen, and only Mr. Worth stated that the ground upon was so badly made that the man's wife was one or two forlorn damosels on the streets, which the committee declined to take con- injured. It was held that she could re-No wonder, either, for it was dreadful sideration of the evidence concerning the cover. In some of these cases the extreme walking, the exercise being attended with Kittrell precinct was that in the notice of subtlety of the distinctions causes an apimminent peril to neck and limb, to say Mr. Lassiter; he (Lassiter) did not state parent contradiction, while it is hard to nothing about immaculate boots and dain- the reasons why he complained of the non- say that either is wrongly decided. If a

Slipping ourselves, we get laughed at that it was never intended it should apply It was held that after the wife's death this by our fellow pedestrians in their involun- to. Thought the action of the Commis- money did not pass to the husband. tary mimicry of skating; and in more than sioners of the county in regard to throw- Another question of some difficulty is one instance measuring their lengths upon ing out the vote was conclusive, unless whether a servant who is sent by his master the frozen pavement. Another source of there should be a charge of fraud. If Mr. to sell a horse can warrant the horse so as amusement was the fantastic resemblance Lasgiter could show that a return of legal to bind his master. The servant of a we traced in strangers to friends we had votes cast at Kittrell's were properly made, horse dealer can bind his master by a according to law, and in the time pre- warranty, even though his master has for-There was our boson: crony, minus the scribed by law, he was ready to receive bidden him to warrant. A servant sent to The Court is in session until 3½ o'clock every day, and as the Senate meets at 10 o'clock a. m., and again at 7 p. m., the colock all a colock a. m., and again at 7 p. m., the colock all a colock but the secrnful, indifferent air exchanged evidence in the matter, unless he could to another for a horse, and the owner of for the suavest urbanity of manner, and prove or charge fraud on the part of the the horse sent it by his farm bailiff, the

second street safe man! This, after the ter gave no reason why he held that that by from the capitulation of Paris, reflectmysteriously august dignity of the edito- box should be counted-and he (Speed) ing the sentiment of joyful relief which rial chair. This, after the brain puzzles, submitted that the law so required him to pervades all communities and classes of

Mr. Robbins, of Rowan, was opposed,

for that of Edwards.

noted outlaw went to the house of Mr. son, wild turkeys, ducks, geese and bear- in a legal and technical view of the mat- again free to devote their energies to the meat are abundant and cheap. These ter, Messrs. Edwards and Bradshaw were acts of peace, that bloodshed and devasta-David Townsend, in Robeson county, du- good things are brought over from Arkan- elected; but to lay aside mere technicalition have at length ceased, and that trade Upon motion of Mr. Graham, of Orange, ring Mr. Townsend's absence on Monday sas, just across the river; and the Missis- ties, he felt that Mr. Edwards was entitled and business will awake to a renewed ac-

can majority on Congress though we threw away two of the three Representatives in Congress by personal feuds; but the Legis lature is very strongly Republican. Penn
True or false, this legend might well

True or false, the Townsend were left.

that both kill and Bargen regulated !

fall, lull every sound and however Orange, Jones, Linney, Mauney, McClam-

splendid thing of the kind in America. Moore, Olds, Price, Robbins, of Davidson, On the vote for Mr. Barnett, the aves cap the lefty windows are cupids, rocked and nays were called, and resulted as fol-

Those who voted in the affirmative are

Those who voted in the negative are Messrs. Graham, of Orange, Linney, Mauney, Merrimon, Morehead, Murphy and

Mr. President announced Graham, of Orange, Brown, Robbins, of Rowan, Senate branch of Committee of Confer

Senate adjourned.

Note. - Mr. Cook said that he was very clear upon the point; that it would be bad precedent for this Senate to set, for it to be governed by mere legal informalities. for the reason that scarcely an election is held but what there is more or less in formality. If we take account of all the little informalities in North Carolina the after every election upon contests growing

of a committee of conference on the mat- that the gentleman from Granville (Mr Edwards) had not sufficiently convinced Mr. Graham, of Orange, was not satisfied

received a majority of the votes, and

Curiosities of English Law.

A London barrister, Mr. A. V. Dicey, has been showing Englishmen the absurdities and contradictions of their common law. His experience and illustrations are Mr. Merrimon hoped the motion of Mr. contained in a book entitled A Treatise on Lassiter would prevail, and the report re- the Rules for the Selection of the Parties to an Action-and among the curiosilies

mentioned are the following: The obstruction of a highway is considbeing five, six and seven stories high, the whole vote having been thrown out by ered to cause peculiar damage to a man The shops in several instances are noticed the commissioners of the county, he did whom it impedes in his business, but none beautifully frescoed, with ornamental sky. not feel that it was necessary for him to to a man whom it injures in his trade. The owner of a dog is not liable for its Mr. Murphy thought that the evidence biting other men, unless he knew of its phis under very disadvantageous circum- of one party should not be taken, when fierceness, but without any such knowledge stances, the weather being the foulest con- the contestant was unprepared, for the he is liable for its biting cattle. If a horse is allowed to stray, and it kicks a child the owner is net liable, for "it is not the ordinary course of the nature of a horse to casion they were exuding a sleety drizzle, plied with the law in regard to his notice kick a child." But if a horse strays into a to his contestant; that he had complained field and kicks another man's horse, the washed with mud, and the streets were a in said notice of the fact that Kittrell owner is liable, because, we presume, it is great mass of "slush," over which even Springs' vote had been thrown out, and the ordinary course of the nature of a horse chimneys which must smoke in a certain Mr. Linney submitted, in a few perti- direction, and another man lights fires is the nent remarks, the conclusion arrived at by which cause smoke to go up the chimney not by the man who built the chimneys.

was proven that a large number, in fact a majority, of his troops was from the State of Tennessee, and many of them under with summer sunlight glistening goldenly the law in their notice to the contestants and the man's wife was injured. It was twenty-one years. This is considered an through green boughs, and children sport- that certain legal votes, viz : those cast at held that she could not recover. Another important point in the case, as Holden ing, butterfly-like, in its parks, it doubt- Kittrell Springs Township, had not been salesman sold a man some hair-wash, to be used by the man's wife. The hair-wash man agrees to build a house his death does showing. We presume the short walking showing. We presume the short walking he, with great deference to the committee, if he agrees to build a light-house. Again, the question whether a husband has rephis at this season. Such things as trail- differed with the committee upon their the question whether a husband has reing skirts on these pavements would have conclusion in the matter. Argued that duced his wife's property into possession seemed only grotesque. We passed through Mr. Lassiter could not have known what or not has given rise to very fine distinct Court Square, a beautiful wire railed en- reasons governed the Commissioners of the tions. In one case, a wife's trustee had closure, set out in Magnolia trees, county in throwing out the vote, and did paid the wife the rent of some property in whose branches that bitter day not think the law intended to require Mr. Lettled on her, and had borrowed a part of poor little snow birds were twittering chil- Lassiter to state specifically the grounds the money so paid. It was held that this ingly. The broad leaves were bending upon which he (Lassiter) based his contest money was reduced into possession by the husband, and that after his wife's death he surprised to see a growth we had fancied. Mr. Graham, of Orange, thought the might recover it from the trustee. In reason the gentlemen differed as to the another case, a man who had received living exposed to such severities of cli- meaning of the law was because they were money for a wife wrote to her and told endeavoring to apply the law to a case her that he held the money at her disposal.

> farm bailiff's warranty was held not to bind the owner.

> The European War Financially Con-

The Boston Post says :

There is not a money exchange in the

world that does not experience a buoyansociety. Both in Boston and in the New York market increased activity is apparent, and the non-commercial world also is ages, we came face to face with that most The motion to read was put and pre- gratified at the prospect of a staple peace, resulting from the present favorable armisof caninity, (we are obliged to coin a Mr. Batchelor then read a portion of tice. The relief which is felt abroad must word,) the little dog heroine of Onida's the contesting notice of Mr. Lassiter, and exceed our own in a great degree, and the Puck," A most amusing book by the the evidence of several witnesses in regard effect of the close of the war will doubtless be apparent in the operations of those dow of a book store was a charming pic- Mr. Graham, of Orange, was satisfied, great banking-houses which play an imture of Santa Claus, driving his "Dears," after hearing the evidence, that the vote portant part in the game of empires. The right charming girls in Lapland vesture, of Kittrell's precinct should not have been Rothschilds for once combine business with charity, placating the popular will by generous contributions; and it will be strange indeed if the house which realized fifteen millions by its pigeon-post from Waterloo, and nearly as many more by its prescience in the Trent affair, does not stepped down from the engraving to per- Mr. Lehman moved an amendment to find similar substantial profit in the passonate the jolly patron of the Christmas the substitute, viz: the name of Lassiter sage of such an important event as this. It is a cause of universal gratification that two great commercial nations will soon be again free to devote their energies to the tivity to repair the ravages of what will go into history as one of the most stoutly contested and destructive wars of modern

> Notice. - The citizens of Duplin county are requested to meet at the Court House,